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Essex Co. Mass. Hist. Soc.

1645—1656

PORTSMOUTH RECORDS

A TRANSCRIPT

OF THE

FIRST THIRTY FIVE PAGES

OF THE

34282

EARLIEST TOWN BOOK

PORTSMOUTH, NEW HAMPSHIRE

WITH NOTES

BY

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PORTSMOUTH
PRIVATELY PRINTED
1886

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No. 246



R. O. FOLKINHORN, PRINTER,
WASHINGTON, D. C.

INTRODUCTION

THE EARLY town records of Portsmouth, New Hampshire, at least those coming down as late as the close of the Revolution, richly deserve to be printed. Like the records of our oldest New England towns, they have been growing each year more and more valuable, until now their historic importance justifies the outlay of a reasonable sum to secure them against possible destruction by fire, or otherwise. Boston has taken the lead by printing in full not only her early town records (together with those of other towns now included in her limits), but also the first three volumes of deeds in the Suffolk registry, under the supervision of a Board of Commissioners—a wise example that should be followed wherever practicable.

In the hope of awakening an interest in the subject that may do something towards bringing about a like result, I have been at the pains in vacation time to copy the following pages from the earliest town-book, and print them, sparing no labor to ensure accuracy. We ought to be thankful that Portsmouth has any early records at all, for they just escaped being burnt up in the great fire, on the night of 22d December, 1813. The town-books and papers were then kept in a wooden chest at the Selectmen's office, in the brick school-house on State Street, and they would surely have been lost, had not one of the selectmen (Hunking Penhallow) made his way into the building, and taken them to a place of safety. So says Brewster, who probably knew the incident from tradition, in a valuable and interesting sketch of Jefferson Hall, that forms the opening chapter of his second series of *Rambles About Portsmouth*.

The town-books of a date prior to 1833 are five in number. The first contains a record of town-meetings and doings of the selectmen from 1652 (or earlier) to March, 1696; the second, from 16 March, 1695, to 13 April, 1779; the third, from 29 June, 1779, to 27 April, 1807; the fourth,

from 4 May, 1807, to 26 March, 1821, and the fifth, from 16 April, 1821, to March, 1833.

Our interest naturally centres upon the first, or oldest book. The page (eleven and a half by seven and a half inches) is smaller than that of the succeeding volumes. The entries are closely written, for the most part on both sides of the leaf, and the pages number three hundred and fourteen. For a long time, half a century perhaps, the unbound pages of this book (as I am told by the Honorable Marcellus Bufford, formerly city clerk) had been laid to one side, tied up in a paper parcel, and almost never touched. In its stead, a copy was used that had been transcribed under the direction of the late Abner Greenleaf, in compliance with a vote of the Selectmen, passed 15 February, 1827. The handwriting is that of Daniel Huntress. This copy, which is well, even handsomely written, no doubt answers better than the original for ordinary purposes, but rigid scrutiny discovers an occasional error, due perhaps to the recurrence of a word with which the copyist was not familiar. In 1866 the original went to the binder, who put it into substantial covers, though he appears to have got a leaf or two out of its proper place. There are also

bound up with it the leaves of a small index of names.

The first town clerk (of whom we know), or person to whom was entrusted the keeping of the town-book, was Renald Fernald, "chirurgion," who came over in company with others sent out by Capt. John Mason, about 1630. After Fernald's death in 1656, the town chose Henry Sherburne to keep the book, at twenty shillings the year. Elias Stileman succeeded Sherburne, in 1660, and held the office of town clerk until 20 October, 1681, when it was ordered that John Fletcher "keep the towne book, and to have for his paines, as the select men shall think fitt, and this to continue till the towne take further order." Richard Martyn followed (April, 1693-March, 1696), and after him, Samuel Keais, who, though an indifferent penman and a somewhat original speller, evidently gave general satisfaction, for he "kept the towne booke" from 1696 to 1714. Joshua Peirce had the honor of filling the office for no less than twenty-nine years (1714-43). His successors were Hunking Wentworth (1743-59); John Penhallow (1759-80); Jeremiah Libby (1781-85); John Evans (1785-92); George Wentworth (1792-1806); Samuel Fernald (1806-09); Joseph

Seaward (1809-17); Thomas P. Drown (1817-26); Daniel P. Drown (1826-32), and John Bennett who was the last town clerk, serving from March, 1832 to 1849, at which latter date Portsmouth had become a city and Mr. Bennett was chosen the first city clerk.

The first settlement of New Hampshire was made at Portsmouth, at a very early date. David Thomson, of Plymouth, England, having sailed from that port, in the ship *Jonathan*, arrived in the spring of 1623, off the mouth of the Pascataqua. He came, with perhaps not more than ten men, to put up houses for carrying on fishing, trading with the natives—in fine, to begin a settlement. This was in pursuance of a contract between Thomson and three merchant adventurers, also of Plymouth, named Abraham Colmer, Nicholas Sherwill and Leonard Pomeroy. The founder of New Hampshire landed at the Little Harbor mouth of the Pascataqua, on what is now called Odiorne's Point, in the town of Rye, formerly a part of Portsmouth. The Indians called the spot "Pannaway." Here, on a slight eminence that commands a beautiful view, Thomson built a stone house, whose ruins in 1680 were plainly seen when Hubbard wrote, and traces of

whose foundation wall are not wholly obliterated at the present day. Thomson himself removed to Massachusetts Bay in 1626, but it is thought that the settlement was not abandoned.

The little we know of this infant enterprise is well presented in a timely monograph, by the late John Scribner Jenness, entitled *The First Planting of New Hampshire*, privately printed at Portsmouth, in 1878. Upon sufficient historical data and with much force of reasoning, this interesting writer disproves the claim, sometime asserted, that to the Hiltons at Dover Point (six or seven miles up the Piscataqua) is to be credited the first settlement of the State. In the light of the result reached by so accurate and otherwise competent an authority, the question of prior locality ought surely to be treated as forever put to rest. Whatever possible doubts may have hitherto retarded the project, there seems now to be no good reason for delaying the erection of a plain, granite shaft at Odiorne's Point, to mark the site of the founding of New Hampshire.

It is proper, likewise, to acknowledge that New Hampshire is indebted to Charles Deane, of Cambridge, Massachusetts, for bringing to light and annotating the original indenture, dated 14 Decem-

ber, 1622, by the terms of which Thomson had bound himself to enter upon the venture. Dr. Deane discusses, with his usual learning, the bearings of this instrument upon the history of our first settlement, contributing information of special value upon a point long involved in obscurity. His remarks are the more welcome, because they clear the subject of errors to be laid to Hubbard's door, to whose statements hitherto a credit has been given that now appears unwarranted, errors to be dealt with by no less an authority than Dr. Deane, since even so careful and just a writer as Belknap adopted them without suspicion. (*Notes Relating to David Thomson, etc.* Reprinted from proceedings Mass. Hist. Society. May, 1876; Cambridge, 1876).

In 1630, and the two or three years following, Captain John Mason, the life of the Laconia Company, sent over planters, stewards, servants, etc., to the number of about forty, who, besides settling at Newichewannock (Berwick Falls) up the river, occupied the land at Great Island (Newcastle) and at Strawberry Bank (Portsmouth), as well as the stone house at Little Harbor. Mason's death in 1635, led to a disintegration of the colony, as a private enterprise under one head. Somewhere between 1635 and

1640, the inhabitants, feeling the need of an organized government, entered into a "Combination," or mutual agreement for local purposes to govern themselves. The original document, doubtless signed by all the planters, was preserved as late as 1680, though not known now to exist. Perhaps it is not too much to hope that a copy of it may yet be brought to light among the State Papers in London, or from some other source.

The earliest public act found of record in the town books is the grant of the glebe in May, 1640. Belknap prints the names of the signers, while Adams in his *Annals of Portsmouth* (1825) gives the instrument in full. It was not copied into the record until February, 1664, when the selectmen finding the original on file, "nearly worn in pieces by passing through many hands," ordered that it be transcribed, "soe it may be preserved and kept to posteritie."

A matter of pure conjecture, I am disposed upon the whole to believe that about 1640 (though it may have been as early even as 1635) they began to keep a town record. There are instances prior to 1640, where Mason's stewards executed leases to tenants for a long term of years, but they do not

appear to be have been made a subject of record. The earliest recorded grant is found among the court records at Exeter, bearing date 20 January, 1643, a lease by Thomas Wannerton, for the Patentees, to Roger Knight, of a piece of marsh in consideration of his faithful services and for one shilling yearly, if demanded. The court records begin in 1640, just before Massachusetts assumed jurisdiction over the Pascataqua.

Whenever the custom may have sprung up to enter of record private grants (which, it is well known, was not done in England) we may feel sure that as soon as the planters came together, and made *public* grants of land, or special privileges, to individuals, they adopted the plan of entering the grant in some public record. In vain, however, do we look in the town books for any but the scantiest memorial of what was done here before 1651 or 1652. Nor is it hard to find the reason. We may read it in the following entry :

“January the 13th 1652. At the hous of geordge walton. This night the Selectmen exsamened the ould Town Booke and what was not aproued was crossed out, and what was aproued was left to bee Recorded in this Booke and to be confermed by the present Selectmen.”

After the town officials had thus deliberately mutilated the records, Renald Fernald (himself one of the Selectmen) began a new book, that which has come down to us, and is referred to in the above extract as "this Booke." He seems to have inserted here and there entries copied out of the old book, as suited convenience, a method that sets at defiance chronological order, and lends to the opening pages a look of irregularity.

That this extraordinary procedure on the part of the Selectmen deprives us of many details of the early settlement, which, could they be restored, would prove interesting and valuable, does not admit of a doubt. The examiners spared but little. Four lines from the record of a town meeting in August, 1645 (a faint ray of light out of the darkness), comprise the earliest entry, and all that marks that year. For the year following two very brief fragments alone survive, while nothing whatever is left to us of the date of 1647. In a note, to be found in the Appendix, I have pursued the subject, and made an attempt to ascertain what could have prompted the work of spoliation, and what was the probable character of the missing entries.

It has been my aim to present the record as it is; and I have tried to adhere to the spelling and punctuation as closely as possible. Where a signature is an original, it is printed in SMALL CAPITALS. In some instances I have ventured to supply a word that is missing (generally at the end of a line, where the leaf is torn or worn out), but this applies to cases only where the right word plainly suggests itself.

Obliged as I am to confine the copying to a few pages, I have selected the first thirty-five, extending to 1656. To this is added a list, recorded a little later on, of those inhabitants who subscribed from 1658 to 1666, to maintain Mr. Joshua Moodey, the minister. I have also copied from the records of the First (North) Parish the names of rate payers in 1717, the date when two meeting houses had become needful. Such lists are prized by the genealogist, and I am led to find room for them because, so far as I know, they are now for the first time printed.

To Doctor Charles Deane, and to the Honorable Charles H. Bell, of Exeter, each eminent in his knowledge of early New England history, I owe much for wise and friendly suggestions. My thanks

are due Mercer Goodrich, Esquire, the present city clerk, for facilities extended to me in consulting the records under his charge. It gives me pleasure also to mention the Honorable Marcellus Bufford, and Samuel P. Treadwell, Esquire, gentlemen whose long and intelligent acquaintance with town affairs has enabled them readily to put me in possession of facts, that I could hardly have got elsewhere.

OCTOBER, 1886.

PORTSMOUTH RECORDS

At a Toune meeting hild the 5th of Aprill 16[52] . . It is ordered that the Towns men chosen for this. . . . Mr Briant Pendilton, John Pickringe, Renald Fernald, Henry Sherborn : & James Johnson, shall haue full Power to . . . and lay out, land acordinge as they thinke Beste for the conueninsy of the Toune: And wee do fully agree, that theas befor named Towns men shall have full power, to order all our Towne affayrs, as though our selues the wholl Towne wear Presente, vide. To calle into question or fine anny mane in case of . . . or any breach of order: And to make all such Ratts . . . shall be nessimary for Publiq Chargis whether minister or other. And also that it shall be w[ithin the] Power of the select men, to call the Town together [to con]sult about any nessimary affaiers, for the wellfar[e of the] Towne: giuinge Lawfull warninge . . . of a paper three days befor, upon the meetinge . . . And also that thear be two Publique meetings in . . . And more, if ocation bee, at any Publique [meeting] the Power, Remains to the wholl Towne: In [witness] whearof wee the Inhabitants doe hearunto . . . And that the Summons was Lawfull for . . . day for our Publique meetinge

William. Seavie	Anthony. Bracket
Roger. Knight	francis. Trike
Ellixander. Bachiller	George. Walton
Ollivere Trimings	John. Jackson
Robert. Mussell	John Sherburn
William. Brookin	Thomas. Peverly
Robert. Davis	William. frethy
Walter. Abbite	Robert. Pudington
Francis. Rand	Thomas Walford
Thaddeus. Riddan	Richard Cut
John. Jones	

A copy of an order of the Court hild at Boston th. 7th mon
1643.

Whereas it apeareth to this Court that the commishoners apoynted to lay out the Bounds between Douer and Strawberry Bank Did not consider the sayd Strawberry Banke, as a Towne, nor so exactly veued the land on that side the Riuer, as was needfull and thear upon layd out certine lands to Douer which was most conuenient, for Strawberry Banke, and certine lands for Strawberry Banke whis is most conuenient, for Douer, so acknowledged to be by on of the sayd commishoners in this present court : It is thear fore finally ordered, that all the marsh and medow ground lyinge against the great Bay, on Strawberry Banke side shall belonge to the Town of Douer together with 400 ackers of upland ground adioyninge, and lyinge near to the said medow to be layed out in such a forme, as may be most conuenient for the improuinge and fencing in of the sayd medow : The Remainder [of] the sayd ground to belonge to Strawberry Banke. Reseruinge the [due] right to eaury on, that hath properities in the same.

Subscribed Increase. Nowell Secretary [3]

At a Toune metinge hild at Strawberry Banke the: 4 : of
March : 1646.

It was granted that John Sherborn should haue a hous [lot]
And apourtenancis. belonging thear unto. at the head of . . .
betwene William Sevy and Henry Sherborn :

At a metinge the : 20 of May : 1651.

This day John Sherborn is granted hime three ackers of . . .
at the Sandy Beach : which is not yeat appropriated if . . . thear
to be had

At a generall toune meetinge the . 7 . of aprell : 1651

It is granted that John Pickringe shall have . . . of marsh. in
case he can find any voyd not yeat . . . or mad youse of by
any of the said inhabitants : . . . of the said marsh thought
to lie voyd before the me . . . house which John Pickring
haue promised to fence

At a meeting hild the : 11 : of August : 1651

It was granted this day by the common consent . . . Allix-
sander Bachelor shall haue a lotte upon . . . called pom-

fres poynt : so that he hinder not any of former priuillidge of landing upon the g[reat Island]

At a meeting hild the . 25 . of August : 1645 :

It also granted this present day that the Illand . . called Clamperinge Illand, shall wholly belong [unto] Thomas Williams with all its aportenancies as and marsh. &

At a meeting hild the August the : 15 : 1646 :

it is granted Renald fernald is to haue fouer [acres] of marsh at the great house. which marsh lieth gutter on the south olliuer trimings he north. goodman Bartton on the east ; and also h[ave] fouer acers of marsh more at the fresh be both marked out at this present

At a meeting hild the : 10 : of Jully : 1648

this day in presence of the town William B[erry bath] giuene unto Anthony Ellins : possession of his house and eaight ackers of land lyinge said house and also all his right and tit[le at] the date hereof in the fresh [marsh]

Renald [Fernald] [4]

[At a meeti]ng held . . . Day of . . . 1648

It is likewise granted this day that Henry Sherborn may mow in the fresh marsh that lyeth beyond william Sevys westward about 2 mills. not befor mowed he is to haue twentie Ackers of the sayd marshe.

At a meettinge hild the : 7 : of aprell : 1651

It is granted this towne meetinge that mr Ambrose Lanne or his assignes shall haue free libertie to fall any timber lieinge in common. for the use of his mills in Sagamor Creke : and to lett any perticuler man in the limmits of Straberry banke towne. to haue boards on shilling in a hundred ffoot cheapper than the prise that he selleth unto others. provided that it be for their own particuler ues : except building of ships and barks, or boats. they are to pay the prise curante.

[5]

At a Towne meetinge hild the : 20 : of may : 1651

It is granted this Towne meeting : that John : webster shall haue, the huse sould by Jaffry. Ragge : to Roger knight on the great Illand. and likewise eaight ackers of land near ajoyninge.

to be laied by the Towns men. fower Rods at the watter side and the Rest to goue bake :

At a Towne meetinge hild the : 7 : of July : 1651 :

1 It is agreed on at this Town meetinge that whearas thear hath bine a foot path usually made viz : ouer John pickrins grounds from ouer his mill dame. and from thence allonge by the mill path unto his next path and so derecte as conuenien . . . may towards the present meetinge house : to [be] continued for the more ease of the Inhabitants and others that shall have occasion to trauill that waye at all time and times : hereafter without leaue of the sayd John pickringe. ore any man ells to be continued for euer.

2 It is likewise agreed one this Towne meetinge that Jerimy walford shall haue twenty acres of land lienge near his house one the great Illand and one the easter side of the sayd house

At a meeting hild the 11 : of August : 51

It was granted unto mr Pindelton in the behalfe of mr william Paine. a parsill of land for a husse and gard . . . between the ould docters feilde and the poynt upon the east sid of the coue next below wottons necke

[7]

..... April the 5th 1652

1 It is ordered this day that all grants formerly granted and Rec[orded] although thay be not signed by the Towns men, neuer the lesse the s[aid] grants and possessions shall bee of force : and the present Towns men shall haue power to conferme what shall bee proued to be grants : so that it be no mans former properite

2 It is granted this day that mr Richard Cut is to haue a Lotte between the fresh marsh creke and the next freshet below the fall, and so upward toward his marsh. all which is to be layed out. at the present Towns mens discession for a flarme

3 It is ordered this day that francis Trike is to clear his hous of goodman greene, and his wiffe, and children, in a months time, and for euery day that the sayd francis Trike, shall entertayn them aboute the sayd time, he is to pay twenty shillings

signed mr Brian. Pendelton Renald. Fernald Henry. Sherburn John. Pickringe James. Johnstone

At a meetinge hild the 3 of may 1652

... It is ordered that the greate Illand, shall bee left ... mon espesially the land by the watter side. To each Lott be granted. thay shall note exsed on Acer of Land : ... as haue bine former planters. at the Towns disposinge

2 It is ordered this day that each Inhabitant of this Towne [provide himself] with arms, mett for a foot company : within the space [of one month] after the Date hearof vid. by the third of June next . th . . . for our defense if ned Requier

Signed by mr Brian [Pendelton] Renal[d Fernald] Henr[ry Sherburn] John [Pickering] James [Johnson.] [8]

At a toune meetinge hild the 14th aprill 1650

It is ordered this town mettinge that euery ordnery keeper in this town shall pay for euery pipe of wine thay drawe shall pay to the town twenty shillings—this is a trew copy out of the ould booke

At a Town meetinge at Strawberry banke the 15th of August: 1646:

It is ordered that John Pickringe shall haue fower Ackers of marsh in the fresh marsh. which fower Ackers lie the at the entry of the marsh. upon the south side of the Creeke as it is marked out : & also fouer of salt marsh at the great house ajoining to the great paund on the south sid. and next to James Johnson on the east side and Anthony brakit on the west :

Signed by : John. Renals }
John. Crouther } Taken out of the ould Booke
& William. Berry }

Att a Towne meetinge hild the tenth day of July 1648

Whearas thear was, by a former acte of the Town granted unto the parssonage house, the full tenth parte of the fresh [ma]rsh, with upland to belonge thearunto, and as yeat, the tenth [parte] cannot be knowne ; by Reson it is not yeat mesured nor [laid] out ; wee whos names are under wrighten do assign unto [the par]ssonage house : fower ackers of the before named fresh [marsh] next westward of the marsh of mr : francis williames . . . in his time hee mowed : and upon the south sid of [the fre]shet or brooke : the which marsh was neuer mowed . . . in wittnes whearof wee do hear unto sett our hands.

Signed by—Renald Fernald William Seauy Robert Pudington

Taken out of the ould booke May (: 52 [George Wa]lton is granted six ackers of lande within on disorderly closed in upon the great Illand ackers is to be taken upon the south side e foot pathe : this was granted at the great Illand

Brian. Pendlton Jams. Johnson John. pickring Renald. Fernald [9]

At a generall mettinge hild the 17th of May 1652

1 mr Ambrose Lanne and James Johnson, are chosen Commishoners [unto] the next Courte at boston for an anser unto the petitione made in october 1651. and to atend any other ocaation at the nexte generall courte that is nedful for the Toune acordinge unto thear Commishon

2 The Commishoners are desired to presente unto the next Courte. mr Richard Leader, mr Ambros Lane and mr Pendilton to be confermed asosiats hear at Strabery Banke

3 It is also desired that mr Thomas Bellingum may be pre-sedent at this Courte at Strabery Banke

4 It is farther ordered that the select men haue power to Draw the commishone

5 mr Briant Pendilton is chosen this day commander of the Trayn Band

6 mr Theados Riddan is chosen clarke of the courte

7 It is granted this day that Ellixsander Bacheller is to keepe the ferry. from the great Illand, unto the Randavow. or the great house to reseve for each singell persone, fouer pence to the great house—and from goodman sherborns poynt, unto strabery banke, six pence the man; and two pence the man from the great Illand unto goodman [Sher]borns poynt

mr Brian Pendilton Henry Sherburne Renald Fernald James Johnson

At a meeting hild the tenth of August, 1652

1 It is ordered that John pickringe and henry Sherb[orn go] up unto Douer with george walton to acoumpt with [them] about the Differense betwin us and the Inhabitants court charges

2 It is ordered that thare shall bee a Rate made for the town's youse

3 goodman Sherborn is chosen tresuerer for this year to be accountabull unto the select men on

4 It is ordered that mr Briant Pendilton and J are apoynted to wright a letter unto respect of an anser of the gener[al court] [10]

5 goodman pickringe : and goodman Sherburn haue power for to take an account of the late tresseuerer, william sevey and to call in all former Rates

Renald Fernald Henry Sherburn Brian Pendilton John Pickringe James Johnson

At a towne meetinge hild the 13th of September 1652

1 It is ordered that from hence forth all lisened persons shall giue a juste account of what wine they shall take into ther house for sayll within three dayes after the Reset of the same. the which account is to be giuen unto the Towne Tresurer ; mr Henry Sherborne, upon forfeiture of such wines as shall be neglected, for frensh wines the Ratte is fiue shilling the hhead, and for all other wines ten shillings the hhead and for all other smaller caske porporshanabuly

2 It is granted unto Joseph Pendilton on full acer of Land upon the great Illand by the common consent

3 It is granted unto georg walton upon the great Illand on acer of Land neare unto his house at the discretion of the Towne men to be layed out

4 george walton hath agreed with the Towne this day for all the wine he hath Draune befor this day, and is to pay un- to the Towne the full sume of six pounds.

[5] John Webster hath agreed with the Towne for all the wine he hath drawne befor this day, and is to pay fifty shillings

Brian Pendilton Renald Fernald John Pickring Henry Sherburn

[11]

At a meeting hild the 7th of Desember 1652

1 Henry Sherborn and Renald fernald are sworn commis- sioners for the yeare

2 It is ordered that upon teusday next thear is a Courte kept by the commishoners at strabery banke, for the ending of small causes

3 It is further ordered that the commishoners haue agreed to take a list of the visabull estates of the inhabitants of Stra- bery Banke by teusday next. being the 14th. of this present. so that a Rate may be made, and forthwith levied of 30 L for publick chargis

4 It is ordered that George Walton is to take Doune and Remoue his fense which he disorderly set up, and to compound with the Right owners of the marsh, which he inclosed, as before is sayd whether it be Thomas Walford or Elixsander Jones is . . .

5 It is granted unto Richard Seward: a lott upon the norther sid of Strabery Banke creek ouer against Mr Campions hous: and between the two freshits westward: so that he build thear up . . . within on year after this grante

At a meetinge the. 13th of January 1652

1 It is granted that each Inhabitant is to haue out Lotts of acording unto the order under wrighten

	acers		acers
unto Mr Briant Pendilton	30	Henry. Sherborn	5 .
Mr Richard. Cut	45	William. Sevy	5 .
Mr Leaders hous	45	William. Berry	3 .
Richard. Commons	45	Thomas. Sevy	1 .
for Ro. Kn. Arcullus humpkins	50	Ollyuer. Trimings	1 .
Walter. Abbit	30	James. Johnstone	4 .
William. Cotton	20	Allixsande. Bachelor	. .
John. Jackson	10	Jerrimy. walford	. .
William. Hame	50	Francis. Trikee	. .
Edward. Barton	20	George. Walton	. .
Nicholis. Row	50	Rober. Mussell	. .
John. Moysis	15	John. Wotton	. .
Mr Ambros. Lane	25	John. Pickringe	. .
William. Brookins	10	John. Jones for fr	. .
Thomas Walford	50	John Hart [?]	. .
Thomas Peverly	20		[12]
John. Sherborne	30		
Antony Ellins	25	Captin Champernon	50
Renald fernald	50	Antony Brakite	30
John. Webster	15	Richard Seward	10
Robert. Pudington	10	Mr Masons house	15
goodman Chaterton house	10	Mr Campions house	10
henry Becke	10	Joseph Pendilton	10
William Euins	10	granted unto Mr. Richard Cut tene ackers in the fresh marsh if it be thear to be had. not hindring John Pickrings grant	

2 It is granted unto mr Richard Commins ten trees and unto William Cotton ten trees

January the 13th. 1652 At the hous of geordge walton
This night the select men exsamened the ould Town Booke and what was not aproued, was crossed out, and what was aproued, was left to bee Recorded in this Booke and to be conformed by the present select men

Signed by mr Brian Pendelton henry. sherburn Renald. Fernald John. Pickringe James. Johnson

it was granted unto georg walton : 30 : foot of land at the watter sid for the buildinge a store house upon the easter side of the grauilly coue next his house. so that it be not upon another mans former Righte

Att a Towne meettinge held ye 28th of (9) 1653

That wher as ther was an order made at a towne meetinge the 13th of 7ber 1652 that all Licensed psons within this towne should Bring in an acco : of what wine they shall tacke into draw within three dayes after itt be recaued by them, on forfeiture of sd: wines & also pay for the drawinge of all such wines to the tresurer for the towne's use, as is expressed in ye afore sd. order: that is to say for all frensh wines, fiue shillings p hodghead, & all sorts of sacke at tenn shillings p hodghead ; & for all other vessell biger or leser pportionally

Wee the psent select men of the towne doe conferme the aboue sd order for the use & good of the towne

BRIAN PENDLETON RICHARD CUT RENALD FERNALD JOHN
SHERBURNE [13]

At a generall meettinge hild the 14th of march 1[652]

It is generally agreed that theas men under named a . . chosen Towns men for this present year inseuinge. vidillis mr Brian Pendelton : mr Richard Cut : Samuiell Hains. Renald fernald & John Sherborn: and haue granted unto them the same power that was granted the year past: further it is agreed upon that the magor part of the sayd select mens acte: shall stand: witnes our hands

Henry. Sherburn Richard. Tucker James. Johnson William. Euins Anthony. Brakit Ellixsander. Bachiller Thomas. Sevy William. Berry francis. Rand francis. Trickee Robert. Pudington William Cotton Walter. Abbit Richard Commins Thomas Peuerly Oliver Trimings

granted unto Olliver Trimmings ten trees for making of pipstaves

1 It is generally agreed upon that euery wolfe that hereafter shall be killed in this Towne : the partie shall have twenty shillings of the Town stocke

2 It is ordered that thear shall be a Court kept, for the ending of small causes : upon the 28th of this present month

3 Renald ffernald it this day chosen for to keep the Towne Booke, and to haue for his paines. twenty shillings for the year and for all coppeis he shall be paied by whom shall Imploy hime

4 It is farther granted by the commone consent : that mr Richard Cutt Renald ffernald and John Sherborn are to go to morow, or the next fair day : unto the fresh marsh alr[eady] granted : unto John pickringe : and unto mr Richard C[utt] vidi. to each of them ten acers : and the Rest to be Di to : William Cotton : Walter abbit : francis Rands : John [Jones] to whom shall bee thought fitt by them, and Recordid seuerall lotts shall be laied out

5 It is also agreed upon that mr Brian Pendilton is made . . . for our Depeuty unto the next generall courte a . . shipe and to have power granted unto him . . . under the Constabuls hand. [14]

6 It is lickwise agreed upon that mr Briane Pendilton : mr Richard Cutte, and Renald ffernald : are Requested to confer with our naybors of Douer and kittree about sendinge unto the generall courte about fortifyinge the Riuer for our defence

7 It was farther ordered that Robert Pudington : with : Philipe Lewis : or sum other is to serch out the nearist part, to cut out a hey way. to meet that that our naybors of hamptone haue made

8 The aboue named Touns men are at the next fitt time to lay out the land unto the peopell of the Sandy beach vid. unto William Berry. Anthony Brakit. Thomas Sevy francis Rand and James Johnson

1653 Toune meetinge . 5th (10)

At a publicke Town mettinge hild the 5th of Desember 1653

1 It is generally agreed upon that from hensforth the ministers wagis shall be paied, by way of Ratt of the visabull estats: the Invoys shall be taken within two months after the dat hearof

2 It is farther ordered yt the plains shall be laied out at the first oportunitie by theas men under named vid. mr Richard

Cut: Renald Fernald: Thomas Walford and: William Cotton: and what theas men shall doe in this matter acording unto thear best skille. shall not herafter be questioned but shall stand ferm and good

3 It is generally agreed and grantd unto Robert Pudington, yt he shall haue on hundred ackers of land ajoyning unto his house: leaving a hey way: conuenent for cattell to goe to feed in: the which land shall be meseured by the befor named men at the next conuenent time

4 It is granted unto Walter neall a lot of eaight ackers to his house upon the neck of land by winacont Riuer commonly called John heards necke.

BRIAN PENDLETON RICH CUTT RENALD FERNALD

[5] It was farther ordered that the plains next unto goodman pudingtons should be laied out acordinge to the form followinge, the first swardron. is to begine at the southeaste corner of the sayd plaine and soe to take the cours of the sune leauing a hey way betwen the fower [squa]drons, to Rune diu north-weste and southeaste

[15]

The first squadron by lott the first is

	acers
1. John. Sherborn	10
2. William. Hame	16 $\frac{2}{3}$
3. mr Pendilton	10
4. William sevy	16 $\frac{2}{3}$
5. Anthony Brakit	10
6. Jerimiha. Walford	6 $\frac{2}{3}$
7. John Jackson	3 $\frac{1}{3}$

The second squadron is

1. Thomas Walford	.
2. Richard. Sayward	3 $\frac{1}{3}$
3. Richard. Commins	15
4. James. Johnson	15
5. Anthony. Ellias	8 $\frac{1}{3}$
6. Alix: Bacheller	3 $\frac{1}{3}$
7. Edward Barton	6 $\frac{2}{3}$
8. John. Webster	5
9. Rendald. fernald	16 $\frac{2}{3}$
10. John. moysis	5

The third squadron, begin at the norther co[rner] of the sayd plaine and to con[tinue] easterly

	acers
1. William. Brockins	3 $\frac{1}{3}$
2. Henry. Sherborn	16 $\frac{2}{3}$
3. George. Walton	5
4. Thomas. Sevy	3 $\frac{1}{3}$
5. Thomas. Peuerly	6 $\frac{2}{3}$
6. Roberte. Mastell	3 $\frac{1}{3}$
7. harculis. humpkins	16 $\frac{2}{3}$
8. William. Cotton	6 $\frac{2}{3}$
9. Captin. Champernon	16 $\frac{2}{3}$
10. francis Trikee	3 $\frac{1}{3}$
11. John. Jones	15 $\frac{1}{3}$

The fourth squadron

1. Walter Abbit	10
2. Olliuier. Triminges	3 $\frac{1}{3}$
3. mr Leadder	15
4. William Berry	10

		acers
upon the souther sid of the	5. mr Ambris Lann	8 $\frac{1}{3}$
hey way	6. John Humpkins	3 $\frac{1}{3}$
	7 mr massons hous	5
	8. John Wotton	6 $\frac{2}{3}$
	9. Nicholis Row	16 $\frac{2}{3}$
	10. John Pickring	16 $\frac{2}{3}$
	11. the widow mansfield	3[$\frac{1}{3}$?]

6 Whearas thear was formerly granted unto. mr Richard Cut ; a lote to extend from his marsh, lyinge at the easter corner of the fresh marsh ; unto the next freshet, bellow the fall, not spesefing what quantity it should bee, it is this day granted : that the sayd Lott shall amounte unto on hundred acers ; and to take its begining from the easter eand of the sayd fresh marsh ; from the alders upon the souther sid of the brooke, and to extend from the sayd alders ; east and by north, unto a littell guter between the fall, and the common landing at the cart path, upon the norther. sid of the sayd path, and from the poynte ouer againste the said guter, to extend along the norther sid of the creeke. 55, poll unto a littell guter. freshitt below the fall : between the befor named east eand of the fresh marsh. and guter. mr Richard Cut to leave a hey way for catell ouer the brooke . . former ffeeding, up on the north side ; the sayd [way] is to be left six poll broud if need Requier

[16]

This day it is aproued of by the toune that what was don by mr Richard Cut, Renald ffernald and John Sherborn townsmen about laying out lotts in the fresh marsh unto John Pickringe. mr Richard Cutt. william Cotton. Walter Abbit Renald ffernald. francis Rand. & John Jones & the Rest yt wear laid out acording unto the form following in march. the. 15th. 1653

1 goodman hams marsh doth extend from the freshitt upon the easter sid of the parsonage marsh easterly full thirty poll up unto the wood side—to the northward two and twenty poll, and from the wood sid southward thirty poll, as it is marked : so that his lott is 30. poll deepe & 22 poll broud

2 John Pickrings lott doth extend from william hames northward fiufy fiue poll, acording unto the bredth of goodman hams, and thirty poll easterly and westerly as it is laied out and marked.

3 mr Richard Cuts his lote of medow Doth begine next nor weste of the parsonage lott upon the nor westen sid of the broouke thirty polls from the woodesside along the saied broouke eastward short of a litell. hill of birchen trees and from thence it doth extend northward fiuty fue polls and at fiuty polls eand thirty polls to the wood westerly as it is laied out and marked

4 william Cottons lott doth begine : from mr Richard Cuts east by north corner of his lott, and doth extend towards goodman pickrings west by south corner. ten poll and at ten polls bredth it doth extend north ward as mr Cuts doth upon the said northerly line untell it com unto the upland or woodside bearing the said bredth 10 poll

[5] walter Abbitts lott doth extend upon the same line from mr Cuts, unto John pickrings ward eaight polls. and northward as william Cotton doth untell it com up unto the upland or woodside bearing eaight polls bredth

[6] Renald fernalds lot is next unto walter Abbitts six polls easterly and to cary the same bredth unto [th]e northerly extent to the upland as walter Abbit and [Wil]liam Cotton doe

[17]

7 francis Rands or John humpkins lot doth extend to the eastward as Renald Fernald doth, fouer poll and caryeth the same bredth to the northerly upland as the befor named william Cotton and walter Abbit do.

8 John Jones doth head upon the same line easterly fouer polls, and doth cary the same bredth northward to the woods sid. vid. 4 polls unto the upland as william Cotton. walter Abbit Renald fernald and francis Rand doe

9 John Webster is to haue the marsh that liethe betwin goodman hames lott and the parsonage lott the which is compassed with a gutter next unto goodman hames and the brook next unto the parsonage, and upon the northerly sid, the heads of william Cotton, Walter abbitts, Renald fernald, francis Rand and John Jones is. lotts do begin and extend northerly as is before saied.

10 The persons befor named except John pickring wer all present at the time at meseuring the sayd lotts, and wear therewith contented.

march the 17th 1653. thear was granted at the Sandy Beach vid : unto James Johnson of medow 20. ackers unto Olliuier Trimmings 04. ackers unto Thomas Sevy of medow 08. ackers

and upland 08. ackers unto William Berry of medow unto his ould hous that is by william Sevys 06. ackers unto Anthony Brakit upland 30. ackers adjoyninge unto his hous. and of medow 20 ackers mor unto William Berry from the littell creek next unto Goodman Brakits so much as sh[all] amount unto ten ackers of medow bet[ween] the sayd creke and the creeks mouth upon the south sid thearof, and 4 ackers of . . whear he hath alredy ploued upon the north sid of the creeke, mor upland to ajoyn u[nto] his house upon the necke 26, ackers

unto francis Rands. medow. 08. ackers [and] upland 20 ackers for a lotte.

at the fresh medow aboute goodman Sevys was also [granted] this day march the 17th 1653 unto Henry Sherborn of medow 16 ackers

after at an other meetting was grant[ed] 4 ackers ajoyning unto the sayd. 16.

unto John Sherborn in the sayd medow granted 12 ackers

At the sand beach granted unto John Sherborn grant. the. 20. of May. 1651 three ack[ers]

[18]

When the lots befor named at the Sandy Beach granted being laied out. the ouer plus is to be Distributed unto walter. abbit. william. Cotton. nicholis. Row John. Jackson and Robert mustell. 3 acers apese if it be thear to be had

Thease lands before specified both upland & medow beinge layd out & the plaine not yet layde oute : wee hose names are underwritten doe thise. 30. of January 1653 Confirme

BRIAN PENDLETON RICHARD CUT RENALD FERNALD JOHN SHERBUERN

At a towne meeting hild the 30. of January 1653

1 It is ordered that mr Pendelton and John Sherborn are to take a not of the visabull estats of the Inhabitants blow—and mr Richard Cut and Renald fernald are to take nottis of the stats of the Inhabitants aboute the which is to be don by the midell of the next month

2 It is granted unto : nicholis Row: that he may mow in the fresh marsh ajoyning unto the plains, whear goodman Walford and goodman Pudington and thomas peuerly haue formerly mowed provided he do not mow what was formerly cleared by them the said marsh is to be laid out at the next oportunity

[3] It is farther granted that : harcellus Humpkins : is to have a lott in the fresh marsh creeke next unto : mr Richard Cut : upon the south sid of the said creeke, and upon the west side of the hey way from the meetinge house. the which lott is to be three ackers into the three ackers the poynt next west is to bee included.

[4] It is granted unto : mr John Cut : a lott next unto : harcellus humpkins : westward from the said poynt, up unto the next fresh gutter upon the said side the sayd two lotts. are to extend from the creek sid backe unto the hey way : which is to be laied out at the next conuenient time by : mr Richard Cut : harckulus humpkins : John Webster : and Renald ffernald.

[5] It is farther granted unto mr John Cutt in the fresh marsh or whear he can find it, not yeat mad yours of ten ackers of medow

[6 It] is granted unto Renald ffernald in the said fresh marsh creek [upo]n the poynt next west of goodman Seward, twelve ackers of land.

BRIAN PENDLETON RICHARD CUTT RENALD FERNALD JOHN SHERBUERNE

[19]

At a generall towne mettinge hild the 14th of march 1654

It is ordered by the common consent that theas men under named are apoynted to lay out the hey waye by goodman Pudintons to the plains. vidi. Captin Champernon. John Pickring. Samuel haines Renald ffernald

2 It is ordred by the towne the men whos times are expired at this psent haue pouer giuen them to make the Ratte for the ministers wagis. the which is to be don by this day sen night.

3 It is granted unto houbert Mattean, a lott of eaight ackers in the fresh marsh creke next eastward of : mr Richard Cute : upon the north west sid of the said creke

BRIAN PENDLETON RICHARD CUTT RENALD FERNALD SAMUEL HAINES JOHN SHERBUERN

It was & is this day generally agreed upon that the wine sellers shall all pay for thear drawinge of wine acordinge unto the orders formerly mad. by the select men, and the select men are hearby ordered that they forth with. yours mens for the proceuringe of the same, for the yours of the Towne

At a generall town meeting held the. 27th. of march 16[54]

1 John Jackson and [*George Walton* erased] mr Bachelor are chosen constabulls for the next year inseeing. This exchange was don by the Towns men befor the breaking up of the meeting

2 The town haue chosen for comishoners to be presented unto the next Court. vid. mr Brian Pendilton mr henry sherborn. mr Richard Tucker

3 The town haue lickwis chosen for their selecttmen for this year insuinge mr Brian Pendi[lt]on Captin Champernoun mr Richard Tucker. John Pickr[ing] and William Cotton and are to haue the like power th[at] the towns men haue had formerly in eauery poynt [and] artickell

Witness this our hands as folloeth. RENEALD FERNALD in t[he behalf] of the rest who is [to keep in] custie this Towne Book and to haue for his pains as formerly was granted

monthe 27. 1654

4 the toun hau apoynted for the ordring the seats in the meeting house vid. mr Richard. Cutt, John pickringe, the which is to be don, at the towns charge and with all expediton that may be

5 it is farther agreed upon, that James Johnson. shall acount with the tresurer, and for what was diu befor this day the on half is to be deducted and Retorned unto him. and hensforth he is to acount with the treseur acording unto former order to giu in acount of what win he shall take in for sayll

BRIAN PENDLETON

6 mr Brian Pendilton is chosen treserer for this year by the common consent

RICHARD TUCKER WILLIAM X COTTONS mark JOHN X PICKRINGS mark

1 It is this day the 17th : of Aprill 54 : ordered & consented to by the Select men that the Treasurer mr Bryan Pendleton aboue specified shall haue full power to sue for & recover the Rates of the towne, from all such men as shall not pay the same upon a lawfull demand

2 It is ordered this day that : mr Richard Cut : John Pickring and Thomas walford are to place the Inhabitants in thear seats in the meeting hous. the which is to be don at thear best discretions

3 This day mr henry sherborn tresurer hath giuen in acount of his year past and is excepted of

[4] It is farther ordred : that hensforth thear shall be granted

to each house lott full eaight. ackers. to such as the town shall except of. to habitation

[5] It is granted unto ffrancis drake : a housse lott upon the poynt within Roger knights Illand : at the mouth of the fresh marsh creeke

BRIAN PENDLETON JOHN : PICKERING WILLIAM : COTTEN RICHARD : TUCKER [21]

The twelve ackers of land belonging unto the meeting house doth take its begining from the great pine by the sayd house west and by south towards : goodman humpkins. his hous which he bought of Roger knight. full : 30: polls : from the end of the sayed : 30 : polls up the hill : north & by west—full : 56 : poll: from the sayd : 56 : polls end, diu east : 46 : unto a forked pine marked with three nochis. from the said forked pine : south & by east full : 44 : polls unto the befor mensioned great pine

John websters lot doth begin : at the north and by east corner of the parsonag lott : leaving a way, and doth extend towards the springe : north & by east : 22 poll : from the said: 22 : pols end towards : mr: Cuts, diu northwest and by north: 15 : poll. unto Mr Cuts his fence : from the sayd end of Mr Cuts fence : 64 : polls. and at the sayd : 64 : polls end it doth extend diu east as the parsonage land doth : 56 : poll. leaving a way between the parsonage ground & his

Mr Richard Cutt: his lot doth extend from. John Webster by the watter sid: to mr Rains his hous: full: 60: poll: and from the sayd end of John websters fence. southwest and by west: 64 poll: as John websters doth to a pin then marked by mr Brian. Pendilton: and from the sayd marked pin: unto the fresh marsh creeke: leaving a way be betwixt: Harculus Humpkins: and mr Richard Cuts lotts from the sayd fresh marsh creek.

theas lots aboue named, wear layd out by order of the select men. the 23. of September: 1653

At a publiqu Town meetinge hild the: 12: of September: 1663 granted unto Samuell Hains ten ackers of land at the bottom of the great Bay. ouer againste Captin. Champernuns. so that it be not upon the Captins land—taken out of the ould book.

it was granted unto william urin, a lott upon the neck of land between goodman Jacksons and william Cotton: with convenient la . . .

At a publiqu Town metting hild the : 5th. of June 1654 :

1 It is granted unto Mathew Hame a lott in the coue next unto his father now duelling house, to be laid out at the next convenient time

2 John Jackson is chosen to be clark of the market by the common consent of the towne [22]

Theas present do wites that I Robert Pudington doe herby acknolidge and confese that I have Reseued from Thomas Sevy full satisfaction for all my hous housis and land both infensed and out of fence which I formerly did Inhabit and make yous of : next unto the habitation of William Berry ner the litell harbor : & do herby Resign all my Right and titell for euer, unto the said Thomas Sevy his hiers & assignis. in wites whear of I doe herunto sett my hand this fourth of June in the year of our lord, on thousand six hundred & fity & five wites Renald Fernald William Sevy R. P

the mark of Robert
Pudington

a true cobby taken from the originall
by me RENALD FERNALD.

[23]

This presente wrightinge witnesseth that whearas thear is a condition fully concluded, betwene mr Clemment Campion of Strabery Banke of the on party : and Roger knight of the sam place of the other party : That is to say the said Clemment Campion, hath fully and Rally. deliuered into possession unto the sayd Roger knigh. the house housses and lands thearunto belonginge. which hath bine in former time the house housses of mr francis Raines, and sould unto the sayd clemente by ffrancis Raines: so longe as the said Roger and his wiffe anne doth liue or ether of them. and in case thay both die. befor the sayd clemente then the said clemment campion is to inioy the said place as fully and ampully as beffore the date hearofe: and likewise in case the said clemment campion. doth die before the said Roger and his wiffe anne. or ether of theme. then the said Roger or his wiffe anne. the longest liuer of ether partie to possess and inioy the said plantation befor menshoned for euer. whearunto wee haue both of us sette our hands the : 23: day of december : 1652

wites
ffransis : champernowne
Henry sherburne

Clement campion
the mark R of Roger knight

a true coppie compared with the original by mee

RENALD FERNALD

Jenuary the : 12: 1652

know all men by theas psense that I Thomas ffurson and Roger Knight are agreed for the Illand befour the house of master Clement Campione. which is called by the name of fur-[sons] Illand : and I Roger Knighte ame to giue unto Thomas ffurson for the before named Illand on whight and bl[ack] heffer, and to winter hir, and to giue Thomas ffurson twelue shillings. & sixpence the first of Jeun next after the date hearof

witnes. william Palmer. John webster, the younger

Thomas ffurson. John. pickring

compared with the originall a true cobby by: RENEAL FERNALD [24]

Jane Drake the relict of Wm Berry with ye con husband Nath : Drake for a valeuable consideration where-with they are fully satisfied hath giuen up her thirds unto Anto Ellins of the land her husband Berry sold unto sd Ellens mentioned this 6th of December 1670 before me ELIAS STILEMAN [25]

At a toune meeting hild at Strabery Bank the last of Jenuary. 1648

1 It is granted by the common consent that william Berry shall haue a lott upon the neck of land upon the south sid of the littell Riuer at the Sandie beach :

2 It is ordered by the common consent that Robert pudington is to haue a lott upon the north side of the littell Riuer at the Sandie beach :

3 It was also granted unto Robert Dauis by the common consent a lotte in Sagomors creeke next poynt west of John moysis:

4 It is likewise granted Edward Bartton that no man shall sit doune betwen him and John Crouders: Raylls

At a metting hild the : 11 : of June : 1649:

This day Thomas Williams hath Resigned all his Right and titell unto Clampering Illand, into the hands of Richard kinge. and what marshis the toun befor the dat hearof had granted unto hime:

At a metting hild the : 13 : of August : 1649 :

It was granted by the common consent that Anthony Brakitt shall haue a lott betwen Robert Pudington and william Berry,

at the head of the Sandie beach fresh Riuer at the wester branch tharof :

At a meeting hild the . 22 : of October : 1649 :

It is acknoliged this day by Thomas walford that hee hath freely giuen all his Right and tittell [which] he hath inioyed upon the great Illand unto his sonne Jerimy walford : exepting what former[ly he] hath giuen unto allixsander Jones :

At a generall meeting hild the : 7 of aprill : 1651 :

It was granted this meetinge that Anthony Ellins ha[ve] giuen unto hime the Illand between John wottons and Clampering Illand :

[27]

At a Towne meeting hild the : 20 : of October : 1651 :

It is generally agreed upon that John Jons Shall haue twenty shillings for the year for making clean the mettinge hose

Be it knowne unto all men by theas presents that I Roger knight of Strabery banke . haue granted, bargained & sould unto Hirculus Humpkins a plantation lying in Strabery banke with all Right titells and pruilidgis and possessions, that I the sayd Roger Knight haue belonginge unto the sayd plantation, for the sume of three score and ten pounds of good and lawfull mony of niue England, ten pound to be paied the twentieth day of nouember, next insuinge the date hearof, and ten pounds the : 20th : of the next insuinge Jeune, and twenty pounds to be paied the next springe sesone after the date hearof which will bee : 1653 : and thirty pound the next Rock. sesone after the former date (: 53) and hear unto I haue inter changabull put my hand the eaightenth of the seventh month : 1652 : the mark R of Roger Knight
wines Huphry Humber the mark HH of Hirculus Hum[pkins]

A triue coppie taken from the originall
by mee RENEALD FERNALD

[29]

At a publike touñ meeting hild the : 8th : of March [1655]
1 the Inhabitants haue chosen this day for thear present select Towns men & untell others be chosen : vidi : Thomas

walford : Anthony. Brakite : William Sevy : Jams Johnson John Webster : and theas men aboue named haue the same power in eary poynt as the former townes men had in witness whear of we do hear unto set our hands

2 It is ordered by the comon consent that theas three men under named haue power to make choys of a place to set up a house for the minister or ministers youes with all conueniency for euer : vid. John pickringe . Thomas walford, and Robert Pudington, and whatsoeuer theas three men shall doe in this mater shall be Recordid, and stand firm as the acte of the wholl towne for euer and the sayd three men are to signe thear acte under thear hands

3 It is farther granted unto mr Brian Pendilton so much land as lieth disused between the ould Docters fild and the water sid leauinge fouer polls for a way between goodman mustells fence and the sayd land upon the great. Illand

4 It is farther granted unto hirculus humpkins that he shall hau a lott upon the great Illand about forty foot squar to set up a stor hous so that it bee not what belongeth to any other person

[5] It is farther ordered that theas three under named hau full power to lay out all the land medow formerly granted unto the inhabitants vid Thomas walford Robert Pudington & Renald fernald theas lands are to be laid out after the ministers land is laid out acording unto the order abou wrighting

BRIAN PENDLETON RICH CUTT RENALD FERNALD in the behalf of the rest. [30]

by verue of a Towne grant & order at a publike meetinge hild the. 10: of July. (55) wee whos nams are under wrighten haue mesured as followeth: vid . unto.

1 walter Nealle this . 22th of July. 1655: his home Lott doth extend from goodman hayns his house due north and by east unto winicont Riuer. leauing a way for the Captin Champernoune betuene his housses . whear he formerly wente

2 goodman Hayns his home lotte beinge mesured is on hundred sixty and one. polls aboute which is by oure estimation. tene ackers

3 Capt, Champernouns Lotte doth extend from the marsh within his fence next winicont Riuer: 245: polls suth east. and at the end of the sayd line to extend south west the same distance: vid: 245 polls. and at the sayd south west lins end to extend north west the same distance and so to finish the

same square. which is by ouer estimatione the full complement granted unto the said Captin. vid. 300: ackers. the Cptin is to allowe the way through the sayd lott to be seuen polls wide and to be commone unto his naighbors

4 Goodman drakes lott doth Rune as the captins Lotte doth: vid. : 40. poll northeast and south west. and : 24 : polls south east and north west : also goodman drake is to haue a small parsill of Land at the ester end of the Captins out lotte. to make up what is wantinge of his Lotte next unto it.

5 Seuen polls being lefte for Hampton way next unto Goodman Drake. Walter Nealls lotte doth extend : 91 : poll square acordinge unto the line befor spesified : vid : south east and north west. and north east & south west : which . 91 poll . squar is by our estimation his complement of ; 50 : ackers . allowed unto him by the towne.

6 Richard Sawards lote at the mouth of the fresh marsh creeke doth begine at the head of the littell creeke next easterly of Renald fernalds necke of land, ouer against the wester poynt of Campions necke and doth extend. north easterly to the next freshit so that it doth incompass the Raged necke of land and doth finish whear it begane . vid : at the head of the said creke next Renald fernald and the sayd Richard Sawards is to satisfie goodman drake for whatt pains he hath been at upon the sayd necke

Confermed by the Selecte men the 20th . of march . 1656 vid Thomas. walford william. seavey Anthony: Brackett Jams Johnson, & John Webster

[31]

At a publike metting hild the eleventh of aprill. 1655 :

1 It is generally concluded and agreed upon that mr Brian Pendilton and John pickring haue full power to meet with the peopell of hampton to confer and agree if they see caus with them about the bounds of our towne and also with Douer

2 Mr Richard Commins is this day chosen suruayer of the hey ways

3 The Inhabitants doe generally acknolidge that they are willing that mr Browne Should continue thear minister as he hath bin, if he bee so plesed.

WILLIAM SEAUEY THOMAS WALFORD JAMES JOHNSON JOHN WEBSTER

At a publike town meeting hild the . 10th. of July : 1655 :

1 It is generally agreed upon and granted unto Captine Champernoun. three hundred acers of upland and medow ajoyning unto his now dwelling house at grenland for a farm, and the sayd land is to be bounded out at the first oportunity after. what hath bin formerly granted is mesured and Laid out

2 It is farther granted unto walter neall for an out Lot fiuty acers of Land to be laid out by the Captins Lott so granted

3 It is granted unto fransis drake a Lott [of acers] to Joyn unto walter nealls out lott near winicont Riuer at the botom of the great bay

4 It is generally agreed upon that theas three men under named are to lay out all the lands and medow formerly gr[anted] vid. Thomas walford. Richard. Tucker: & Renald ffernal and thear Land is first to be mesured that first Doe giue satisfaction unto mr Brown for what is his Due before this day

[32]

Jully the 10th: 1655

5 It is ordered that mr Brown our minnister is to giu an account of what is his diu from the inhabitants before this day. and the Select men are to giu order unto the Constabuls to make a legall Demand and in case of non pament at the time apoynted by the Select men then pouer is to be giuen to the Constabuls to Distrain upon the goods of such as shall be slak in payment as aforsayd

WILLIAM SEAVEY THOMAS. **V** WALFORD his marke ANTHONY.
A BRAKIT his marke

At a town meeting hild the : 14th : of August : 1655

[The words italicised have a line drawn through. The entry is evidently the beginning of a record that was not followed up.]

At a publick Towne metting hild in february. 1655

It is this day granted unto John pickringe that hee shall haue the land lying betwen swadens creek and pincombs creek in the great bay so that it bee no mans former Right or propriety. the sayd land is to extend into the swamp and no farther

JOHN WEBSTER ANTHONY **A** BRAKIT his marke THOMAS **M**
WALFORD his marke JAMES **I** JOHNSON his mark WILLIAM
SEAVEY

[33]

Att a Toune meeting hild the : 20 : of march 1656

1 It is granted unto Anthony Brkit that hee shall have fifty acers of land mor then his former grant to aJoyn unto his hous to lye in such a form as it may inclos his marsh—so that it be not in any mans former grant

2 It is ordered that Jams Johnson . William Seuvey and Anthony Brakit . shall end the difierense between, Edward Barton. &. Nicholis Row : conserning ther land in differ[ence]

3 It is farther ordered that the sayd men shall have power to lay out unto fransis Rand fouer ackers of marsh at the Sandy Beach which was formerly granted unto him . also unto olliuer Trimmings foure ackers of marsh at the sayd Sandy Beach formerly granted

4 It is granted unto Thomas walford two ackers of land upon the great Iland so that it bee not upon any mans former Right or propriety

5 It is granted that no man shall take mony for ferry age from goodman sherborns neck to the great Iland . except Allixsand Bacheler. nor from goodman Johnson

6 It is also granted unto John Webster on acker of land upon the great Iland aJoyning unto his last house or frame near unto lorte poynt in the swampe

WILLIAM SEAVEY THOMAS **M** WALFORD is mark JAMES **F**. JOHNSON his mark ANTHONI **A** BRAKIT his mark JOHN WEBSTER

Wee the Select Towns men of the town of Portsmouth whos names are under wrighton. do conferm & grante unto John Jackson and his hirs and assignes for euer. the houses and land and the Iland which was formerly possessed by John Crowder :

Dated this : 20th. of march : 1656

a tru cobby by me RENALD FERNALD

Signed by . . . william: Sevy John. webster Jams. Johnson
Thomas. walford Anthony. Brakit [34]

At a publique Towne mettenge hild the: 27th : 1656 of march

The Town haue this day chosen for thear select men for the year insuing and untell others be chosen theas. men whos nams are under wrighten. vidilisit Richard Commins. Jams Johnson. mr Henry Sherburn Renald Fernald & John Jackson. and wee do farther make choys of nathaniel drak. and John Pickringe. and wee whos nams are under wrighten in the behalf of the Rest Do giue unto theas men now chosen in

all poynts the same power which any Towns men hau had be-
for the Date hear of in witnes whear of wee haue herunto set
our hands

JOHN WEBSTER The marke of THOMAS **M** WALLFORD WIL-
LIAM SEUEVY ANTHONY. **A** BRAKIT his mark FRAN. CHAMPER-
NOWN WILLIAM HAM GEORGE WALTON JOHN JONES his mark.
ANTHONY ELLINS FRANCIS **F D** DRAKE his mark SAMUEL
HAINES PHILLIP LEWIS JEAMES **L** LEACH his mark WALTER **W**
ABBETT his mark THOMAS **X** SEAVEY his mark MATHW **H** HAM
his mark WALTER NEALE

[35]

At a meeting hild the 14th of Aprell 1656

This day mr Sherburn hath promised to entertain mr Brown
John webster is this day permitted to keep an ordinary

It is farther ordered that the visabull estats are to be brought
in by the first monday in may next and then to make the Rate
for the year (55) for ministers wagis : wee are to meet at Jams
Johnsons house

It is farther granted that mr Richard Cut is to haue two
hundred ackers of land which he hath purchased by a mor-
gage from mr Thomas wannertons deseed. provided that the
sayd two hundred ackers do not pregidis any former Inhabitant
in any other grant befor the date hearof

RENALD FERNALD HENRIE SHERBURNE JAMS **I** JOHNSON
his mark NATHANILL DRAKE JOHN JACKSON RICHARD **R C**
COMMES his mark

At a meetinge hild the : 17th. of May : 1656

It is this day granted that Captin Champenoune shall haue
liberty to mak yous of any Timber of pine. within the space of
on miell of winacont Riuer within the bounds of this Towne so
that it be for his owne perticuler youse but not to sell the timber
unsawn unto any and so to leave to the priედus of him self
and the Towne

It is farther granted unto mr Richard Tucker the neck of
land commonly called musketto hall upon the great Illand so
that it do not apeer any other mans formor Right. which was
formorly the land of John wottons and so reputed to bee
RENALD FERNALD HENRIE SHERBURNE JOHN. **G** PICKERINGS
mark NATHANIEL DRAKE RICHARD. **R C** COMMES his mark
JOHN JACKSON JAMES **I** JOHNSON his mark

* * * * *

[From Page 57.]

A true transcript of those that subscribed in the years 1658
1666 to the maintenance of ye Minister
At a Gen. Towne meeting 14 : 12 mth.

Jno Moses	1	ffran Drake	16
Wm Brookin	1	Ano. Ellins	1-06
James Leach	10	Wm Cotton	1
ffran Ran	15	Hen. Beck	05
Ano Brackett	1-15	Rich : Abbett	10
Walr Neale	15	Leon. Weeks	10
Geo Walton	2	Robt Elliot	15
ph : Griffin	10	Edw Clarke	10
Jno Jacksons	1-05	Jer : Walford	06
Tho Onyun	1	Watr Abbett	15
Wm Ham	1	Sam' Haynes	1-10
Tho : ffurzen	05	Tho Wedg	10
Tho : Auery	10	Quince Smith	10
Wm Morris	10	Her. Hunking	1-10
Tho : Hinckson	10	Jno Hunking	1
Alexsa Batcheler	14	James Johnson	2-10
Jos : Walker	12	Mr vall : Hill	1-10
Tho : peuerly	14	mr Ric. Martin	2
Robt Daus	10	Rich. Sloper	15
Rich : Jackson	1	Rogr Knight	1
Jos. Atkins	10	Hen. Saudg	1
Charles Allen	10	Nic. Row	05
Jno Jones	15	Ric : Saward senr	1
Jno Hall	1	Jno. Webster	1-10
Wm Seauy	2-10	Math Ham	10
Toby Langdon	1	Robt Mattoone	1
Edw Barton	15	Jno. Lock	10
Jno Sargent	15	Edw Melcher	10
Jno ffoss	10	Dan : paull	1
Nathl Drake	1	mr Evers	15
mr Mason	1	Bar. Square	10
Tho Walford	1-10	Jno Odiorne	
Hen : Sherburn	2	Jno pickering	
Rich : Cutt	5	Rob : Mussell	
Jno Sherburn	1-10	Widow fiernald	
Rob : puddington	5	Tho : Seauy	
ph : Lewis	1-10	old chanler	
Jno Hart	15	Ric : Saward Junr	

Jno Cutt	5-10	Alex Jones
Capt Bry pendleton	5	Wm Lux
Rich Comings	2	Geo Jones
Mr Th : Broughton	2-10	Jos : Roger
Jno Johnson	10	James Pendleton

At a Gen Towne Meeting ye 8th march 65 | 66.

The names of those that subscribed towards mr mody that came since ye yeere 58 or did not then subscribe & of such as have Lessened wt they then Gawe

Marke Hunking	1	mr Abra. Corbett	1-10
<i>Subsc in 58</i> Rich Sloper	10	Mr Rich. Tucker	10
Jno Bruster	08	Jno partridg	10
Tho : Dennis	1	<i>Sub 58</i> Jno Sherburne	1
phil : Benmore	06	Jno pickering Junr	10
Edm. Greene	1	Jno Kettle	10
Rich : Stileman	13	Wm Earle	10
Charles Gleeden	1	Steuen Grassum	10
mr Wm Vaughan	2-12	Jno Marden	09
<i>Sub 58</i> James Johnson	1	nir Geo. Wallis	1-10
phi : Nick	05	Edw West	1-10
Jos Moss	10	<i>Sub 58</i> Jno Jackson senr	1-10
Tho Jackson	15	Ro. Shores <i>A day worke</i>	08
Jno Clarke	1	mr Nath ffryer	2-10
Jeff : Curryer	10	Dermont Ushr <i>2 dayes</i>	4
Jno Kennestone	10	<i>Sub 58</i> Jno Lock	
Jno Amentene	10		
* * * * *			

1717.

(From North Parish Records.)

LIST OF PERSONS RATED TO YE OLD MEETING-HOUSE :

John Pickering	Samll Pitman
William Cotton	Walter Abbott
George Walker	Henry Jaquith
James Lovett	John Roberts
Ephraim Jackson	Eliza Pitman
John Preston	Robert Bushbee

Hugh Banfield	Prudence Tapley
Henry Beekford	John Sherburne
John packer	James Sherburne
Alexander Miller	Nath Odderhorne
Peter Abbott	Noah dodge
Natha Melcher	John harrison
Thomas Barnes	Edw Wells
Solomon Cotton	Edwd phillip
James Moses	Joseph Ballech
George Banfield	William Amos
Peter Ball	Wm Bladen
Charles Banfield	Thomas Cotton
Sam: Waterhouse	Thomas Moore
John Lang	John Ellos
Jos Fanning	William Fosse
Thomas Maine	John Moulton
John Shores	William Warren
Jabis Pitman	Abraham dent
Wm Cotton jr	Benjamin Maxfield
John Abbott snr	John Partridge
Jos Miller	James Stewart
John Abbott junr	Robert Ward
James Abbott	Stephen Greenliff
Wm Knowles	Abraham Barnes
Henry Brown	Edwd Sherburne
John Adams	Steph Lange
Nicholas Browne	Michael Lovett
Willm Walker	daniel quick
Sanll Sevey	Francis Raye
Anthony Roe senr	Stephen Noble
Anthony Roe junr	John Davis
Laz holmes	John Snell
Roger Swaine	Thomas Greley
Abram Jones	John Savidge jun
William Spregg	William peavee
hen Tout	Nathl Gearish
Joseph Meade	Snow
hen; Beck	widder denerson
Selvenge Scott	Benjamm Cotton
John Parkes	Peter Bab vede
Zach Leach	John Furburn
Joseph Sweet	Tho. Snow
William Barnes	Robert pickern
Thomas Wright	William Beckman

Richd Waterhouse	Ralph burne
John Ford	John Lear
Captn Jones	James Pitman
Joseph Pitman	Richd Shortridge
Adam peacock	Timothy davis
Ambrose Sloper	George Vaughan
William White	Benjamin Lucey
William hunkins	Willm partridge
Sampson Ball	Thomas walden
John Wesbrous	Rec'd the afore mentioned List
John Clarke	signed p ye hands of
Walter Stears	John Pickering
John denerson	William Cotton
Charles Jos	Geo Walker
Robert Lang	

RATED TO THE NEW MEETING-HOUSE :

Maj Wm Vaughan	15	James Libbey	17
Capt Saml Winkley	1	Richard Parsley	12
Saml Penhallow Esq	1-12	Wm Parker	15
Michael Whedden	1	Capt James Jeffries	1
Wido Hatch	5	Solo Hewes	17
Geo Jaffrey Esq	1-17	Mr Richard Gerrish	1
Wido of Nathl Jackson	5	Capt Henry Sherburne	1 8
Splan Lovell	17	Daniel Jackson	8
Elisha Briard	17	Richd Martyn	8
Jno Plaisted Esq	1- 5	Jno Jones	17
Jacob Lavers	5	Wid Man	3
Richd Wibird Esq	1-10	Timo Waterhouse	17
Thos Packer Esq	1-10	Moses Paul	17
Wido Mary Martyn	5	Axwell Roberts	17
Wido Eliza Eburn	5	Mr Sam Hincks	10
Mr Ed Ayres	1- 5	Mr Clement Hewes	1
Capt Josha Pearce	1- 8	Wid Eliz Dennet	5
James Spiny	10	Capt Thos Pearce	1
Geo : Marshall	17	Oliver Dennet	17
Wido Sarah Jackson	5	Bn Akerman	12
Saml Clark	10	Josha Brown	12
Benja Miller	17	Ed Pendexter	13
mr Ephr Dennet	1- 6	Madn Story	8
Jno Gilden	10	Capt Jno Knight	1- 6
Ed Toogood	17	Capt Joseph Sherburne	1- 2

Capt Saml Hart	1	Capt Henry Sloper	12
Obadh Morse	10	Capt Jno Kennard	15
Capt Thos Phipps	1	Geo Walker	8
Bn Dannel	12	Russell	8
Henry Sewerd	10	Richard Tobey	17
Mr Bridgeman	10	Richd Elliot	17
Ed Cater	12	Jno Cutts	17
Wm Loud	17	wido of Jno Cutts	17
Thos Letherby junr	8	wido Mary Hunking	8
mr Wm ffellows	18	Tobias Langdon junr	18
Joseph Molton	17	Jno Davis	12
Capt Archd Mackpheadris	1-10	Saml Swan	10
Haddon ye Joyner	7	Josiah Clark	10
Jere Calef		Abraham Ayers	8
Robt Almery	10	Elberd Elberdson	5
Caleb Grassam	6	Thos Blashfield	8
Thomas Harvey	15	Nathl Robinson	8
Francis Ditte	12	Thos Cole	12
Wm Lewis	12	Saml Rymes	8
Thos Landell	12	Capt Paul Gerrish	12
Jno Shackford	17	Jenkin Lewis	10
Moses Ingram	10	Jno Drew	10
Jno Pray	10	Jno Young	7
Wido Allcock	10	Jno Williams	7
mr Jno Field	18	Humphrey Marshall	7
mr Benjn Gambling	1	George Smith	7
Saml Shackford	17	Jno Churchill	7
mr Willet	3	James Cod	7
Thos Ayres	12	Richard Cutts	10
Wm Cotton	17	Thos Mayn	7
Capt Richd Waterhouse	17	Jno Almery	7
Jno Skilton	12	Richd Cross	7
Joseph Berry	10	Thos Crocker	5
Jno Hill	15	Saml Brown	8
Jno Ham	10	Henry Nicholson	10
Capt Thos Sherburne	12	Richd Jos & mother	10
Joseph Buss	12	Henry Keese	10
Nathl Mendom	12	Stephen Rose	10
Capt Gatchel	12	Saml Sherburne	8
Jno Libbey	14	Reuben Abbot	6
Laza Noble	10	Bn ffoster	10
Jere Libbey	9	Robt Armstrong jr	12
Wido walker	3	Geo: Knight	10

George Pearce	17	Doctr Draper	10
Saml Manson	12	Wm Hart	12
Jno Jackson junr	7	Mr Richd Waldron	15
Ed: Cole	15	Alexr Wyal	10
Henry Sherburn	1-2	Wm ffairweather	10
Henry Sherburn jr	8	Capt Jno Robinson	12
Jno Peverly	12	Thomas Hamet	10
Nathl Peverly	10	Wm Pevey	12
Wm Ross	7	Michael Whidden junr	8
Wido Nelson	12	Thos Simpson	10
Thos Westbrook Esq	1-5	Jno Peverley junr	10
Capt Langdon	1-5	Saml Brewster	10
Nathl Tuckerman	12	Matthew Nelson	10
David Gardner	15	Thos Sherburne junr	7
Jere Carter	8	Montgomery ye Joynr	6
Wido Almery	3	Thos Wilkinson	5
Amos fernald	12	Jno Sherburne	15
Joseph Mosses	10	Jno Brewster	1
Moshes Caverley	12	Geo Almery	10
George Ayres	10	Joseph Holmes	6
Doctor Pike	15	Ezekill Pitman	8
Mr Harry Johnson	12	Thos Harris	7
Jno Marden	8	Philip Woodhouse	8
Geo: Townsend	12	Abraham Center	7
Joseph Miller	12	Mr Nathl Shannon	10
Wm Watson	12	Jno Carter	5
Joseph Allcock	12	Mr Bishop	10
Wm Bennet	8	Joseph Downing	8
Matthew James	10	James Leach	7
Richd Ward	10	Capt Walter ffenlayson	10
Mr Eleazer Russell	10	Moses Dennet	7
Mr Grindall	12	Ed Kate junr	7
Jno Olliver	7	Thos Langley	7
Saml Ham	12	Thos Moor	5
Richd Elliot junr	10	Jona Studley	6
James Studley	10	Jno Brewster junr	5
Wm Sewerd	12	Dd Jere. Calefe Constable.	
Walter Warren	10	Jan 15, 1717.	
Doctr Bowle	12		



APPENDIX

NOTES.

The following abbreviations are used :

PR. P., Provincial Papers of New Hampshire.

MS. C. R., Manuscript Court Records, in Rockingham Registry of Deeds, at Exeter. There are six volumes, the earliest beginning with a list of suits entered in 1640 in the Court of Dover and Strawberry Bank, and ending with deed recorded 16 November, 1653, George Smyth, Recorder. These records were originally kept at Portsmouth, but for safety were removed in 1775 to Exeter, where they have since remained.

JENN. DOC., Transcripts of Original Documents in the English Archives, relating to the Early History of New Hampshire; Edited by John Scribner Jenness, New York: Privately Printed, 1876.

On a fly leaf of the earliest town-book some one has written the following lines (the handwriting resembles that of Elias Stileman) :

“If you will end youre worke in peace
Then look to god & doe not cease
To Gide you all from first to last
Till good thereof you all do tast.”

Page 13. The binder has inserted the first leaf out of its proper place. The entry is a copy, signatures and all, in the neat and legible hand of Renald Fernald. The last two figures of the year being torn off, I have supplied 52 as the date.

“William Frethy” is the only name that does not elsewhere recur, and it is likely that he was but a temporary resident. He was of Georgeana (York) in 1640. *Folsom's Saco & Biddeford*, 56. His name is among the signers of the instrument of submission to the Massachusetts at Agamenticus, 22 November, 1652. William Frethy, fisherman (and Elizabeth, his wife), was of York in 1671, 1681, and 1688. He had sons—John and Samuel—and the name is found in that town in the last century. *York Co. MS. Records*.

P. 14, *l.* 1. This order is printed in 1 *Pr. P.*, 172.

Ib., *l.* 34. The site of the meeting-house was upon what is now Pleasant street, just below Court, on the west side. The grant of the glebe describes the south part of the twelve acres adjoining the parsonage house, as “abutting on the edge of the salt creek marsh.” The little chapel that became a “meeting-house” must have occupied the extreme southeast corner, and the parsonage was probably north of it. The marsh is here spoken of as lying before the meeting-house, from which we may infer that the building faced the south.

Ib., *l.* 38. Later in the town records, 19 November, 1658, an entry recites the laying out of Bachelder's lot of eight acres, “with the neck of lande & meadow called formerlie by the name of pumphrey's poynt, hee purchasinge the meadow of jeremiah walford.” The record at Exeter of a deed of 1 April, 1661, mentions the house of Alexander Bachelor, in the possession of Ann, deceased, “on the west side of the Great Island.” The southwest corner of Great Island, opposite the mouth of Sagamore creek answers the description of “Pomfrey's Point.” The name may have come from William Pomfret, an early owner of the Francis Raines house at Strawberry Bank, who was of Dover in 1640.

P. 15, *l.* 5. Thomas Williams in June, 1649, released the island to Richard King. *Page* 31. I am satisfied that by Clampering Island is meant what is now known as Leach's Island. I have looked in vain for *Clampering*, as a geographical, or family name. It may have been the name of a locality in England.

Ib., *l.* 14. See also page 31. At the edge is a memorandum, made some years later by Stileman (to judge from the handwriting) as follows: " * * of her husband e right of dower in fo 11 Com'iser." Consult *Rockingham County History* (1884), Article RYE, p. 456.

Ib., *l.* 22. The word "twentie" is overwritten; it may be "sixtie."

Ib., *l.* 27. The mills were on the northeast side of Sagamore creek. 11 *MS. C. R.*, 50. On the 22. 1. 1649, Sampson Lane granted to Ambrose Lane, among other property, "one saw mill now in building at Sagamores creeke in Pascataq. river." 1 *Suffolk Deeds*, 137. The transaction is minuted at Exeter. A Strawberry Bank petition of May, 1653, complains that while other towns had saw mills, "there is none in this Towne, but only one which was never perfected nor like to bee." 1 *Pr. P.*, 208.

The charter of Newcastle (1693) speaks of a point of land on the south side of Saggamore's creek, called "Sampson's Point." May not the name have been derived from Sampson Lane, one of Mason's stewards, who owned land in that neighborhood, and probably lived there?

P. 16, *l.* 20. The northwest corner of Great Island, called "Musketto Hall," appears to have had several owners. Francis Matthews had a lease of it in 1637. 1 *Pr. P.*, 98; 11 *MS. C. R.*, 8. The town 17 May, 1656, granted to Mr. Richard Tucker the "neck of land on great Illand called Mosketto Hall . . . which was formerly the land of John Wottons and so reported

to be." *Page 37.* Thomasine, widow of Francis Matthews, "entered her caution" for it, 23 July, 1653, as bought by her husband from John Hurde, of Sturgeon Creek. George Walton also claimed to own it, by sale from Hurde, and entered a similar caution 25 July, 1653.

The old doctor's field belonged to Renald Fernald. Tradition says that he resigned the post of surgeon in the British navy, to come over with Mason's company.

P. 16, l. 21. There is reason to believe that page one originally began with this entry of April 5, 1652.

P. 17, l. 17. This is a second extract from the record of the town meeting held 15 August, 1646, the first, on page 15, reciting a like grant of four acres each of fresh and salt marsh to Renald Fernald.

All that is now left of the "great pond," on the south side of the Great House, is what in later days has borne the name of Puddle Dock. There was a time doubtless when the waters of the South Mill Pond and Puddle Dock united at high tide. That there was a ford somewhere across this outlet appears from an entry at Exeter, 2 October, 1644. It is "Ordered that the inhabitants of Strawberry Banke shall make a sufficient ffoote Bridge at the wading place beyond the great house before the last of May next upon payne of 5 £." 1 *MS. C. R.*, 26.

In a deed by John Pickering, of house and land at Pickering's Neck (a part of this town grant) to his daughter Mary, wife of John Plaisted, 23 January, 1691, mention is made of running a fence "toward ye creek going in by ye great house to ye burying place & so eastward to ye water side." 14 *MS. C. R.*, 33.

P. 18. The petition of 20 October, 1651, will be found printed in 1 *Pr. P.*, 192. Consult also pages 205 and 207.

Ib., l. 27. The "Randavow" was what is now Odiorne's Point. The earliest mention I find of a ferry is late in 1642, or early in 1643, in the MS. Court Records, at Exeter, vol. 1, p. 14: "Henry Sherborne ordered by the court to keepe a fferry & to have for his paynes from the great house to the great Island 2d, And to the prouince 12d. To Rowes 2d to Strawberry banck 6d for one man And if there come 2 or more to have 4d a pts to Strawberry Banck 8d a pts to the Province & 2d a pts for all the other fferrys And tis further ordered that he shall keepe an ordinary qt. 8d mcale And this order to continue till the general Court take further order."

"To Rowes" may refer to the house of Nicholas Row, one of the grantors of the glebe, 1640.

"Sherborn's Poynt," I should say, was the land lying on the north side of Sagamore creek, where the old Wentworth mansion stands.

On the south side of the creek was Sanders' Point, the oldest English name on the Pascataqua. It was the site of a bridge from Great Island as early as 1663 (VIII *N. H. Hist. Soc.*, 133) which a great storm broke in the middle 22 February, 1683-4. 1 *Pr. P.*, 531.

A letter from Mason and others, dated London, 5 December, 1632, to their factor Ambrose Gibbins, at Newichewannock, says, "You desire to settle yourself upon Sanders' Point. The adventurers are willing to pleasure you, etc" 1 *Pr. P.*, 69. John Elwyn, a descendant of Gibbins, says that Gibbon (as he calls him) "lived till he went Upstream in Captain John Mason's Garrison house at the mouth of Witch creek," another name for Sagamore. Gibbins signed the glebe grant at Strawberry Bank in 1640, and later was a selectman of Dover. Elwyn, who knew every foot of ground in the neighborhood, and its every association, gives us reason to believe that his ancestor was laid to rest at this spot, which is not far from where the first settler landed. "There is a good many graves since a few rods from our Garrison houses cellar, will I guess once a

little churchyard, will I half guess too that we brought Gibbon down and buried him here, a Saunder's Point the mouth of the creek." *Some Piscataway Things And A Good Deal Else*, p. 47.

The present bridge from The Wentworth crosses to Sanders' Point. The name is preserved there as late as 1757. 1x *Pr. P.*, 567.

P. 20, l. 7. "Strawberry Banke creek," afterwards Islington creek, and now the North Mill Pond, is sometimes called "The Fresh Marsh creek." Clement Champion owned eight acres, on "Champion's Neck," which comprised what stretches from the North burying-ground to Raynes' ship-yard. Richard Seward's grant lay upon "Christian Shore." Champion bought a house of Francis Raines, that stood probably not far from what is now the corner of Green and Market streets. See page 30.

P. 21, l. 3. Whoever applies himself to a study of the Portsmouth records will surely find in the brief entry that recites their mutilation, a source of almost never-ending perplexity. George Walton, whose name often recurs, kept an ordinary at the Great Island, where he was licensed to draw wine. Under his roof, on the night of the 13th January, 1652 (1653, N. S.), the selectmen met and proceeded to examine the old town-book. They were Bryan Pendleton, Henry Sherburne, Renald Fernald, John Pickering and James Johnson, men of force and character, and all of them prominent in our early annals. So much of the contents as did not meet their approval they "crossed out," and the little they deemed worth saving they directed should be recorded in a book to be begun anew (the "first book" we now have) and to be confirmed by themselves.

This extraordinary performance appears not even to have had a vote of the inhabitants to justify it. On the contrary, the fathers of the town of their own arbitrary notion deliberately set themselves at the work of spoliation, leaving behind them as a memorial of the deed two or three lines that not so much

as hint at a pretext for their conduct, or in the faintest way reveal the purpose that inspired it. Tampering with a public record is treated as a criminal offence at the present day, but here the open and avowed manner of its perpetration shows that it must have been regarded as a mere incident of official duty. A procedure so strange to our eyes cannot fail to arrest and fix attention, as we interest ourselves in the story of the first settlement of the Pascataqua region; and once enquired into, the mystery that envelopes it but stimulates a desire to fathom its meaning.

Doubtless much that is now apparently past finding out will yield some day to further study, aided, as it surely will be, by the papers that are coming to light both here and in England, as a reward of the faithful labors of the antiquarian. Whatever progress we may make to-day, we cannot hope to reach the true character of this transaction, unless we take into account and rightly estimate the relations subsisting between our town authorities and the Massachusetts, who since 1642 had held sway over the settlements at the Pascataqua.

The wording of the entry leaves it an open question whether the selectmen actually made way with the old town-book itself, or kept it, perhaps in a mutilated condition, as a part of the town records. This uncertainty is enhanced by the fact that there seems to be found no trace whatever of the book at the present time. I am disposed, upon the whole, to doubt whether its disappearance is necessarily to be assigned to this memorable act of the 13th January, 1652. In saying this I do not overlook the fact that Dr. Belknap speaks of the book as "destroyed." His statement has been uniformly followed, and yet he cites no authority other than the entry itself that is under consideration.

The manuscript history by the Rev. Jabez Fitch, of which Belknap had the use, now in the library of the Massachusetts Historical Society, is silent on this point. A writer to whose opinion great deference is due, is the late John Elwyn, of

Portsmouth, a man without a superior in his knowledge of what pertained to our early history. Speaking of his ancestor, Henry Sherburne (one of the selectmen, as we have seen), Elwyn styles him, "A church warden of our little English chapel the Bay broke up, All there is left of our Fasti earlier than the Bay puritans got ours burned and the Saco ones both, this is the instrument of Forty." (*Some Piscataqua Things and a Good Deal Else*, 1870, p. 48.) The Saco records, it may be added, are lost prior to 1653, the date when the Massachusetts took possession. Curiously enough Bryan Pendleton removed in 1665 from Portsmouth to Saco, where the selectmen in 1672 were ordered to procure a town-book, and Pendleton was requested to transcribe the records into it. Says Edward P. Burnham, who is familiar with the early history of that locality: "The Saco records prior to 1653 were probably destroyed. It is too late to ascertain what discretion Pendleton exercised as to what was unfit and what was suitable to be transcribed, or what became of the former record books." *Letter of 21 August, 1886*.

A reason for hesitating to believe that the selectmen destroyed the book itself is this: A new book was begun in December, 1664. Into it was copied everything that the town-book contained, and thereafter all entries made in the town-book were carefully copied into the "new book," the two being kept side by side. The record thus reads:

"At a meeting of the selectmen the 27th of December 1664 it was agreed upon by a joynt consent as followeth: That the Toune Booke shall be carefully copied out into a new Booke, which coppie of the original being compared by the selectmen now in being shall be as authentick as the originall and that all the town acts which are to be recorded for the future shall be from yeer to yeer transcribed into the sayd Booke the ground of which agreement is to prevent all confusions which for the future may arise through any casualtie by fire water or otherwise that may happen to the said originall Booke & being

compared by the selectmen for the time being shall be as authentick as the originale booke ; as is aforesaid." *Rec.* 92.

At intervals thereafter the selectmen certify over their signatures that they have correctly transcribed the entries "from this Booke into the new Booke." The last certificate, at the close of the first book, is as follows : " Thus farr transcribed into ye new book to ye last of March 1694 and compared according to towne order *Wm Vaughan, John Pickering, Tobias Langdon, Geo. Snell*, Selectmen."

Now upon turning to page 121, we read under date of 22 April, 1667, the following entry, in the well known hand of Elias Stileman, town clerk and one of the selectmen : " The present selectmen motioning to have the town boo . . in their hands for the better management of the town affa . . which the Towne grants viz the two ould bookes."

Of course, the reader does well to be on his guard lest the brevity of the entries mislead him. It seems to me, however, that the expression "the two ould bookes" points to the existence of another old town-book than that which has come down to us, and which, as we have just seen, became an *old* town-book in 1664, when by order of the selectmen a new book was opened. Not unlikely is it that the original book was left in existence, shorn of authenticity, at least in regard to what had been crossed out. Besides it happens that the signatures to the entry of 13th January, 1652, are not originals but copies, in the handwriting of Renald Fernald. This fact indicates that the five selectmen may have signed their names to an entry in the old, original book, so that what we have is only the town clerk's version of that entry. If this be so, it strengthens the belief that the book itself did not perish.

Again, among the theories that have presented themselves is this, and it is not wholly lacking in plausibility. There were certain entries in the town-book, which the party in control wished to get rid of. To effect their purpose, the authorities cut out the leaves on which the entries had been written ; and

wherever a leaf chanced to contain another entry, to which they had no objection, the town clerk saved it by copying it into the present first book. This hypothesis would account for the meagre number of items transcribed, and yet leave the record, thus curtailed, to stand as theretofore. It is an objection well nigh fatal, however, that the extract from page 92 just given speaks of "the town book," as if there were but one.

The above entry, I ought to explain, is the sole reference I have come across lending probability to the suggestion that crossing out did not go to the extent of destroying the book itself. The enquiry is perhaps after all rather curious than important; for the main fact remains that the public record was despoiled, and its sanctity violated. Even if we come to believe that the book was kept, with the obnoxious portions crossed out in ink only, this would not materially change our estimate of the character of the proceeding, or mitigate the censure to be visited upon so high-handed a transaction. A knowledge of the precise truth might modify, it is likely our views of the purpose with which the act was committed. Moreover the discovery would serve to keep alive a spark of hope that by some miracle of fortune the book itself may yet be brought to light.

There is indeed a mere possibility that this town-book was still in existence in the early part of the last century. We find from an entry of 25 March, 1725, that Mr. William Vaughan was thought to have in his possession a book or books of the town, and the selectmen were empowered to demand them of him, or of any person suspected; and if need be to employ attorneys to recover them. There appears to be no further mention of the subject. It is to be explained that carrying off the record books and hiding them was a trick not unknown in some of the stormy times of the Province. John Pickering is a prominent figure in this kind of work; and later Major William Vaughan tries his hand at it. In 1699 the latter hid certain

books, probably the court records of 1682-1684, and when he delivered them up in June, 1702, to Mr. Penhallow, it was discovered that twenty-four leaves, covering the judgments in Mason's suits, had been cut out. II *Pr. P.*, 303; III *Ib.*, 298.

But it is time to enquire what motive governed the selectmen—what was it that they had determined to suppress in the record. Here, it must be confessed, we straightway enter a region of speculation. Of one thing, however, we may be certain, that the act accorded with the views of the Massachusetts, if not done at their actual dictation. And this leads us to glance at the relation that had subsisted between Strawberry Banke and the Bay colony, to divine if we may how it could have served the latter's purpose to have our earlier records consigned to oblivion.

It is not easy to recite how it was brought about that the Pascataqua settlements in 1642 passed under the control of their more powerful neighbors, for the devious paths pursued by the Bay authorities in claiming jurisdiction here under their patent, are every now and then lost in obscurity. We have no records of our own to recur to, and the Massachusetts people took good care that at every turn events should be represented in a light most favorable to their interests. Besides, with slight exception Massachusetts has written the history.

Was the movement to come under the Massachusetts government a spontaneous one, or was it an encroachment, artfully planned and as artfully carried out? So far as I can discover, after the most thorough examination that I have been able to make, not a petition, or other document, is now accessible that bears a list of names, or sets forth reasons, from which we may determine how large a proportion of the planters favored the union, or what was the real sentiment that prevailed here. We are obliged to depend almost exclusively upon brief records of Massachusetts origin. We may indeed catch a glimpse of Hugh Peters, after his visit to the Pascataqua region, exclaiming with true missionary fervor, in a report to Winthrop, that the people

are "ripe for our Government. They grone for government and Gospel all over that side of the country Alas poore bleeding soules." (vi. *Mass. Hist. Col.*, 4th Series, 108.) But Winthrop's own account of "those of the lower part of Pascataqua" in 1642, reckons above forty of them who, having been "professed enemies to the way of our churches," became converted by the teaching of the Rev. James Parker, of Weymouth, "a godly man," who labored with them, most of whom, however, fell back in time, embracing this present world. (ii *Vol.* 93.) In 1643 the inhabitants sent Mr. Parker as their deputy to the General Court at Boston, humbly saying, "in the state we now stand we know not whether any of us may be admitted to a Deputy." i *Pr. P.*, 167.

The Reverend Jabez Fitch was pastor of the North Church from 1724 (when he came from Ipswich) until his death in 1746. His historical manuscript above referred to consists of about threescore small leaves closely written. He cites few authorities. A fair sample of his style is afforded by the following extract, which embraces all he has to remark upon this particular point:

"These combinations continued not long; for the number of the People increasing and enormities prevailing to such a degree that they could not be suppressed by so feeble a government, and the Inhabitants being incapable to defend themselves in case of a rupture with the Indians about the year 1642 they petitioned the Massachusetts to take them under their Jurisdiction & Protection by whom they were kindly received and admitted to the same privileges with themselves. Representatives were sent from hence to their General Court and Major Waldron of Dover was frequently chosen speaker of the House of Deputies. Mr. Thomas Wiggim Proprietor of Swampscot was then chosen one of the Magistrates. Courts of judicature were erected in Dover and Portsmouth. But Exeter was annexed to the County of Northfolk which was then a County of the Massachusetts consisting of the towns on

Merrimack River and Hampton belonged to the said County, who had put themselves under the Massachusetts from the beginning of their settlement

“It was a very favorable Providence which then brought this People under the Government of the Massachusetts, for by this means Prophaneness & Immorality were discountenanced, and a Learned Ministry encouraged to settle with them, without which they would have been as ignorant and heathenish as some other parts of the Kings Dominions in America.”

Felt characterizes the change as “agreeable to those who were for the revolution in the mother country, and offensive to such as were opposed to it.” 1 *Ecl. Hist.*, 452.

The late John Scribner Jenness has traced with a vigorous hand the progress of the Massachusetts towards an assumption of full control over the Piscataqua, in a contribution to the early history of his native state, entitled *The Piscataqua Patents* (Portsmouth, Privately Printed, 1878). “The planters on the upper Piscataqua,” he concludes, “were torn and paralysed by civil and religious disensions, and those on the lower plantation, who since Mason’s death had laid claim to the ownership of the lands on which they had resided, though without any legal title, and now lived in terror of Mason’s heir, even *they*, though antipodal in every sentiment to the Bay puritans, were inclined to seek protection for their property from the strong arm of the Massachusetts.” *Page* 47.

This view, from a writer well qualified to treat of the subject, may perhaps be accepted as upon the whole just and reasonable. How far a well grounded fear of dispossession at the hands of the heir of Mason may have operated, it is difficult if not impossible to discover. Perhaps it tended in individual cases to make easier an acquiescence in the plan of aggrandizement; but a doubt yet lingers over the origin of the movement, whether it began with the planters themselves; and if so, how large a number favored it. Herein, it seems to me, lies the significance of the silence of the Massachusetts records.

According to Belknap, "the affair was more than a year in agitation;" and it seems that the planters were tenacious of their privileges, the union being effected only upon a concession that the Bay people must have found it hard to allow. I refer to an order that dispensed with church membership as a condition precedent to the right of voting. In 1631 the Bay colony had restricted the franchise to such only as were church members; and says Lechford in 1640, three parts of the people of the country remain out of the church. (*Plaine Dealing*, 73.) As late as 1676 five-sixths of the men in the colony were non-voters because not church members. 1 *Mém. Hist. Boston*, 156.

Of the exception made in favor of the Piscataqua settlers, Felt says ingenuously: "Could the Bay authorities have had the submission of Piscataqua without such liberty, they would undoubtedly have preferred it, rather than granted this indulgence, which tended to weaken its opposite and continued rule for their previous jurisdiction." 1 *Eccl. Hist.* 502.

One ground for deploring the loss of our earliest records is, that it deprives us of an opportunity of tracing the origin and growth of the town meeting. It would be highly interesting to know when the first meeting was held, how it was conducted, and particularly what proportion of the inhabitants at the period of union with the Massachusetts had exercised the right of freemen. We are told by Belknap that Francis Williams, sent over by the adventurers, was continued as Governor "by annual suffrage." (*Ibid.* 1., p. 47.) Williams signs the grant of the glebe in 1640, as "Governor," and it is perhaps fairly inferential that he had held the office continuously, but I fail to discover upon what evidence Dr. Belknap bases his statement that there was an annual election.

Cranfield, writing in 1682, speaks of the old record book of the Province, from which it appeared that in Captain John Mason's life time the inhabitants entered into a combination to govern themselves by His Majesty's laws as well as they could. "A copy of which I have herewith sent," he adds (*Jenn. Doc.*,

127), but what he sends turns out to be a copy from the original of the Dover combination of 1640, with all the signatures. (*Ib.*, 36.) Hubbard, in 1680, speaks of this instrument as "left upon record." If Cranfield had before him the record of combinations bearing an earlier date than 1640 (and he could not have been ignorant of the fact that Mason died about November, 1635,) it is a pity that he did not transmit a copy that would have borne out his statement. He is to be understood as giving the Lords of the Committee information in the line of contention made by the opponents of the Mason claim. *A Letter from the Council of New Hampshire to the King*, 31 May, 1681, indicates the existence at that date at Portsmouth of the Strawberry Bank Combination: "We were possessed of the Soyle long before the Massachusetts medled with us. Indeed we at length desired them to govern us, when experience had taught as yt by our Combinations where into we entered (the originals of which signed by the Inhabitants are yet extant) to prevent the confusion of Anarchy we could not govern ourselves" (*Ib.*, 100.) It may be added that George Burdett, in a letter to the Archbishop of Canterbury, 29 November, 1638, urges that measures be taken to settle His Majesty's Government in the Pascataqua, "there yet being none but combinacons; because ye severall patents upon ye river are thought to comprize no commission of jurisdiction." (*Ib.*, 32.) In the first volume of the records at Exeter, of the courts held at Dover and Portsmouth, page 14, is an entry "John Pickering inioyned to deliver the old combination at Strawberry banck the next Court." The next court was holden at Dover 5. 5 mo., 1643.

There are reasons, therefore, to believe that Cranfield spoke correctly, when he said that as early as the life time of Mason a combination was in force. The town meeting must have sprung into being about the same period, so we may not be far wrong, even were we to assign 1635 as the year when our town records were begun.

Upon Cranfield assuming the office of Governor of the Province in 1682, Captain Elias Stileman delivered up the books and papers on file in the office of secretary to the new incumbent, Richard Chamberlain. Among the Province records there appears to have been a book, bearing date 1640, and certain "old records before Capt. Stileman's time." This early book long ago disappeared. We are left to gather most of the history of the first ten years of the union from the Massachusetts colonial records, where reference to events at Strawberry Bank is infrequent, and details are extremely meagre. A few facts are to be got from the court records at Exeter, but they pertain rather to individuals than to political history. There is nothing to show how the Church of England party fared, or what were their numbers; but such signs as we have tend to establish the fact that those of the Puritan way of thinking kept themselves in power, and managed affairs pretty much after their own fashion.

It was between 1638 and 1644 that the agents and stewards of Mason took possession of the buildings and improvements belonging to his estate, and divided among themselves his goods and the cattle. The Great House, whose possession was in some sense the insignia of authority passed in 1647 into the hands of Richard Cutt, a strict Puritan, while the extensive lands adjoining (covering what is now the heart of Portsmouth,) were parcelled out among the selectmen of the town, of whom Cutt was a leading spirit. It is a curious fact that the same George Walton, at whose house the spoliation of 1652 was committed, gave his deposition in 1685, at the age of seventy, reciting, among other seizures, the fate of the Great House; and saying that "to his particular knowledge the servants sent over by Capt. Mason, of which some are living, and those descended from them which are many, have been and are the most violent opposers of the now proprietor, Robert Mason, Esquire."

Whatever some future disclosure may reveal of the methods adopted by the Bay leaders to bring under subjection the

settlement at Strawberry Bank, it is quite apparent that a submission once had, those wary and resolute magistrates enforced a rigid rule, never for a moment relaxing their efforts to render the lease of power indefinite in duration, by the simple expedient of entrusting administration to a few only of the inhabitants, selected because they were zealous Puritans. The struggle in England, resulting in the ascendancy of Cromwell, was not without its share of influence upon the project of supplanting here such as were known to stand by Church and King. It must have been no slight task, however, to imbue with Puritan sentiments a community so hostile to the Massachusetts polity as were the settlers of the lower Pascataqua. In 1642 Richard Gibson, the incumbent of the parsonage for whom the glebe had been granted two years before, fell under the displeasure of the Bay. "He being wholly addicted to the hierachy and discipline of England, did exercise a ministerial function in the same way, and did marry and baptise at the Isle of Shoals, which was now found to be within our jurisdiction." So says Winthrop. (*Vol. II., page 79.*) The Court charged him with denying their title, and summoned him to Boston, but they forbore to administer punishment upon his submission, "being a stranger and about to depart the country." With such a beginning as this, it became a question of time how long it would take to convert the people to new ways of thinking.

The Mason claim, as may well be supposed, played an important part in the course of events that followed the assumption by the Bay colony of territorial jurisdiction over the Pascataqua. Owing to the civil war in England active measures had ceased for asserting the rights of the Mason estate, until at length in 1650 Robert Tufton Mason, the heir, became of age. The next year found Joseph Mason at Strawberry Bank, sent over by Mistress Ann, the widow and executrix of Captain John Mason. His presence here while taking steps to enforce the title of those whom he represented as agent, must have created something of a stir. The party in power, we may well

believe, threw every obstacle in his way ; but as he was disposed to enter into some reasonable arrangement with those who had lived upon the land and improved it, there were some, it is likely, who though poor stood ready to recognize the rights of Capt. John Mason's heir, and to make terms for a title.

At least, Champernowne and others who had not abandoned their church, and who chafed under the Puritan rule, could not have been slow to treat the agent of the Masons with courtesy, and to listen to hear what proposals he had brought. For those who had long and patiently endured a government they bitterly disliked, Joseph Mason's arrival in the Pascataqua, it is more than probable, was a signal for venturing upon a scheme of relief. While I know of no proof that Mason was connected with the scheme, it happens that just about this time (in the summer of 1651) the discontent of the planters bore fruit, and certain daring spirits made the attempt to rise and free the settlement from the domination of the Bay. The little we are permitted to know of this outbreak is to be gathered from the urgent language of a letter despatched from Boston, under date of 6th September, 1651, by the Governor to that sturdy helper of the Bay, Captain Thomas Wiggin, "at Swampscot, in Piscataqua." The malcontents had gone so far as to call a town meeting "to joyne together in their way to appoynt a governor." This coming to Endicott's ears, he promptly enjoins his alert and ever-trusty Wiggin to find out who are in the design, and who is to be named Governor. The principal actors, says the despatch grimly, must be forthwith sent to prison at Boston, to answer their rebellion at the General Court. (I *Pr. P.*, 195 ; III *Col. Rec.*, 443.) The record is silent as to further proceedings ; but we need not question that the strong arm of the Bay government easily quelled the disturbance.

To test the right of the heir in the courts, Joseph Mason brought an action of trespass against Richard Leader for encroaching upon lands at Newichewannock. After delays the

plaintiff got a verdict; but the sequel shows it to have been of little avail in settling the question of title. The pendency of this suit, or a knowledge that it was to be instituted, appears to have had the effect of precipitating the action of the Bay colony in regard to the northerly bound of their patent.

Perhaps a single word of explanation is necessary to make this statement intelligible to a reader not familiar with the story of the Mason patent.

The patent to the Massachusetts gave them "all the lands which be within the space of three English miles to the northward of the river called Merrymack, or to the northward of any and every part thereof." There seems every reason to believe that this language was intended to be applied to a river running east from west, as does the Merrimack for some distance before falling into the sea; and as it was supposed to run throughout its entire course. So the Massachusetts themselves at first thought, when in 1631 they built a bound-house, three miles north of the Merrimack, in what is now the town of Seabrook. Such at any rate was the interpretation given by the Lord Chief Justices, and approved by the King and Council, in 1677, in proceedings that led to the establishment of the Province of New Hampshire, after a determination that Portsmouth, Dover, Exeter and Hampton were out of the bounds of Massachusetts. 1 *Belknap*, 137.

But the Bay leaders with great ingenuity and equal pertinacity insisted upon the forced construction that the terms of their patent gave them a right to go three miles north of the source of the Merrimack (Lake Winnepiseogee,) and thence run an east and west line as the northern limit of their territory. This construction they formally voted to adopt 31 May, 1652, and sent commissioners to run the line from that point to the sea, who did their work and reported in October following. The boundary thus marked swept in the Mason patent, and that part of Maine lying south of Clapboard Island in Casco Bay.

Though they did not scruple to assert a claim to the territory clear to the Pascataqua as early as 1641, and indeed made it a ground for extending their government hither, it is worthy to be noted that the Massachusetts authorities refrained at that time from pushing the claim into an undue prominence. The preamble of the order announcing the union simply says "it *appeareth* that . . . the ryver of Pascataquack is within, etc." 1 *Pr. P.*, 158; 1 *Col. R.* 319.

Ten years later, it seems to have been suffered to remain as a point not yet settled, if we may judge from the expressions found in a petition, bearing date October, 1651, that came up from Strawberry Bank, humbly praying to be laid out as a township. The signers (five in number) were friendly to the Bay, yet they speak as if in doubt as to the jurisdiction: "If soe we are yours by stretching of ye Line"; and again, "If by stretching of the Lyne the Lands bee within your jurisdiction; if not then to leave both our persons, lands & all freelye to our selves, as formerly we were before you took us into your Govern't." 1 *Pr. P.*, 192.

It is perhaps not too much to say that the Bay people displayed great shrewdness in the mode of setting up their claim at the outset, and then in biding their opportunity to enforce it by a formal vote, and by running the line.

This same year the Bay brought under their rule the towns of Kittery and York (Agamenticus) in spite of the vigorous opposition of many under the lead of Edward Godfrey. The year 1652, therefore, marks a new era in the conduct of the Massachusetts towards their neighbors to the eastward. To quote from Robert Mason's Title (drawn up in 1674) which to be sure reads like an indictment: "They did in the yeare 1652, in a hostile manner invade the County of Hampshire, compelling the Loyall Inhabitants to a submission, imposing taxes upon them for to supporte their new acquired greatness, etc." *Jenn. Doc.*, 57. See also 1 *Belknap*, 304.

We find too the author of *New England's Vindication*, printed at London in 1660, writing in the following strain of the ambitious designs of the Boston people: "Let it be observed that if in ten years they came to this height, what in these twenty, having so enriched themselves in Wealth, Strength, and Fortifications, that if they Fortifie Piscataqua River for themselves as they have subjugated it, and now Arm against the Dutch new Neatherland, with their united Collonies, they may be invincible States of America." *Page 7.*

That a connection exists between this march of events and the spoliation of our town records has no doubt occurred to the reader. He can scarcely avoid a conviction that it must have been vitally important for our energetic and aggressive neighbors to be able, while asserting claim of title beyond their conceded borders, to remove all fear of being confronted by evidence at variance with their pretensions, drawn from the local records. It is by no means unlikely that the pages of the old Strawberry Bank town-book revealed a history that invited its destruction. There are some who think they discern in the general conduct of the Massachusetts towards the other settlements, a studied plan of seizing upon territory and following up the occupation of it by a suppression of every recorded entry that might make against their claim. Such views can hardly be dismissed as distorted or unjust, in face of the fact that as new-comers in distinct localities the advent of the Massachusetts authorities is attended almost immediately with a disappearance of early records.

But leaving to future exploration the interesting question how far the spoliation of 1652 is to be attributed to the settled policy of the Massachusetts to fortify their claim of title, let us try to account for it by reasons lying within a somewhat narrower compass. We observe that after ten years the authorities had come at last to feel the ground firm under their feet. Everything tends to show that from henceforth nobody is to question the character of their title to the soil. Certain

it is that all the signs of the time point to a determination by the rulers of the Bay to begin a new order of things. They were ready to treat the disaffected with a yet firmer hand. Some individuals there doubtless were to whom the town had voted grants, which though entered upon the town-book had not as yet been laid out. These grants should be rendered null. Acres of outlying land awaited the order of the authorities to be parcelled out among the townspeople—marsh, meadow and forest as yet uncleared.

Is it not likely that to this critical period much is justly applicable that is complained of thirteen years later to the King at the restoration, complained of by such men as Champernowne, Corbet, Sherborn, Sloper, Hunking and Atkinson, not to mention others? For several years past (such is the burden of their petition in 1665) five or six of the richest men have ordered all offices, denying us the benefit of freemen and church privileges; managing to get into their hands the lands for themselves, so that "honest men who have been here a considerable time have no lands at all given them, and some that have lands given and laid out to them, the said contrary party have *disowned the grants and laid it out to others.*" *Jenn. Doc.* 48

Let the reader turn to the entry in the town-book which has furnished the subject of this note, and he will see recorded on the same date a list of "outlots granted to the inhabitants." (*Page 20.*) Not many months before this (in April 1652,) the selectmen had ordained that all grants previously made should be subject to their power to confirm or not, as they should see fit, an exercise of authority that tells its own story. (*Page 16.*) By resorting to the early records in the Suffolk registry of deeds, we find at least one instance where a grant by Strawberry Bank to a settler was made in 1645, yet there is no trace of it in the entries copied into "the new book;" so we may infer that these entries do not embrace every grant made by the town previous to January, 1652. Nicholas Shapleigh, late of

Strawberry Bank grants to Thomas Beard, of Dover, by deed acknowledged 22 May, 1645, house and land at Strawberry Bank, to wit, foure Acres enclosed & six score Acres more or less granted by the towne together with the marsh thereto belonging & all his Right to any lands yet to be divided. (1 *Suffolk Deeds*, 60.) Nicholas Shapleigh was a Quaker, and an opponent of the Bay people.

Till better explanation be reached, are we not brought to the conclusion that the inroad made upon the town records was designed in part to cut off grants and privileges from certain of the settlers who were out of favor with the party in power? A summary and convenient way was thus presented of throwing into the hands of the selectmen the whole body of outlying land, to be parcelled out in conformity with a new order of things, irrespective of what had been the relative prominence and dignity of the planters, as shown upon the pages of the old town-book. Perhaps, too, there were those who had taken part in the seditious movement of 1651, and who should thus be made to feel how futile it was to attempt to resist the power of the Bay government. In fine, so far as the old town-book spoke of chartered rights belonging to any one who was in disfavor, it should be silenced.

Not that this in many instances affected the title of lands in possession, but the disposition of lands not already occupied was of great moment, and could be used with telling effect. The book was kept in the hands of Puritan selectmen, and it was not in the nature of the times probably to lay it open to such general inspection as would be the case in these later days.

I do not indulge in any reflection upon the character of the motives that may have prompted this act, nor do I forget that it is to be judged, if at all, by a standard far different from that of the present time.

That the book may have contained entries favorable to the Mason title, and that these were suppressed to keep them from

being used by Mason's agent, is a conjecture unworthy, it seems to me, of even a passing consideration.

P. 32, *l.* 9. The island granted to Anthony Ellins, between John Wotton's (Muskito Hall) and Clampering (Leach's) Island must have been what is now called Pest Island. The former name of Pest Island appears to have been *Anthony*—possibly dating back to the ownership of Ellins. There was a pest house on Anthony Island in 1740. v. *Pr. P.*, 60, 124.

P. 36, *l.* 26. This confirmation appears to include what is now Noble's Island. There is a record of June, 1650, of a conveyance by Ambrose Lane (who got title from Sampson Lane) to John Jackson, cooper, of "all that house and oute houses Inclosed lands and commons with sixe acers of marsh belonging unto the same lying between the ould doctor's marsh [See page 15, l. 8] and the Creeke beinge the marsh sometime belonging to the great house comonly called by the name of the plimmoth plantation with the appurtenancies thereunto belonging beinge the houses and lands wherein on John Crouther lived in and commonly called Crowther's house lyinge and beinge within Strawberry Banke aforesaid except the Iland lyinge and being on the norther side of the sayd house by estimation eight acres or thereabouts." 11 *M.S. C. R.*, 5. John Jackson (and his wife Joan) conveyed the Iland 25 June, 1660, to Thomas Jackson, cooper, and speaks of it as "confermed to the sd John Jackson by the selectmen of Ports in 1656 signed under their hands & annexed to ye said deed of Mr Lane's aforesaid." The grant was "together with all the trees and wood fallen & unfallen." *Ib.*, 37.

The entries at pages 29 and 31 indicate that the island for a while bore the name of other occupants, viz: Thomas Furson, and afterward, Roger Knight.

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CORRECTIONS:

Page 29, line 7 from bottom, for "1663," read "1653."
 " 40, line 4, for "Odderhorme," read "Odderhornc."

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